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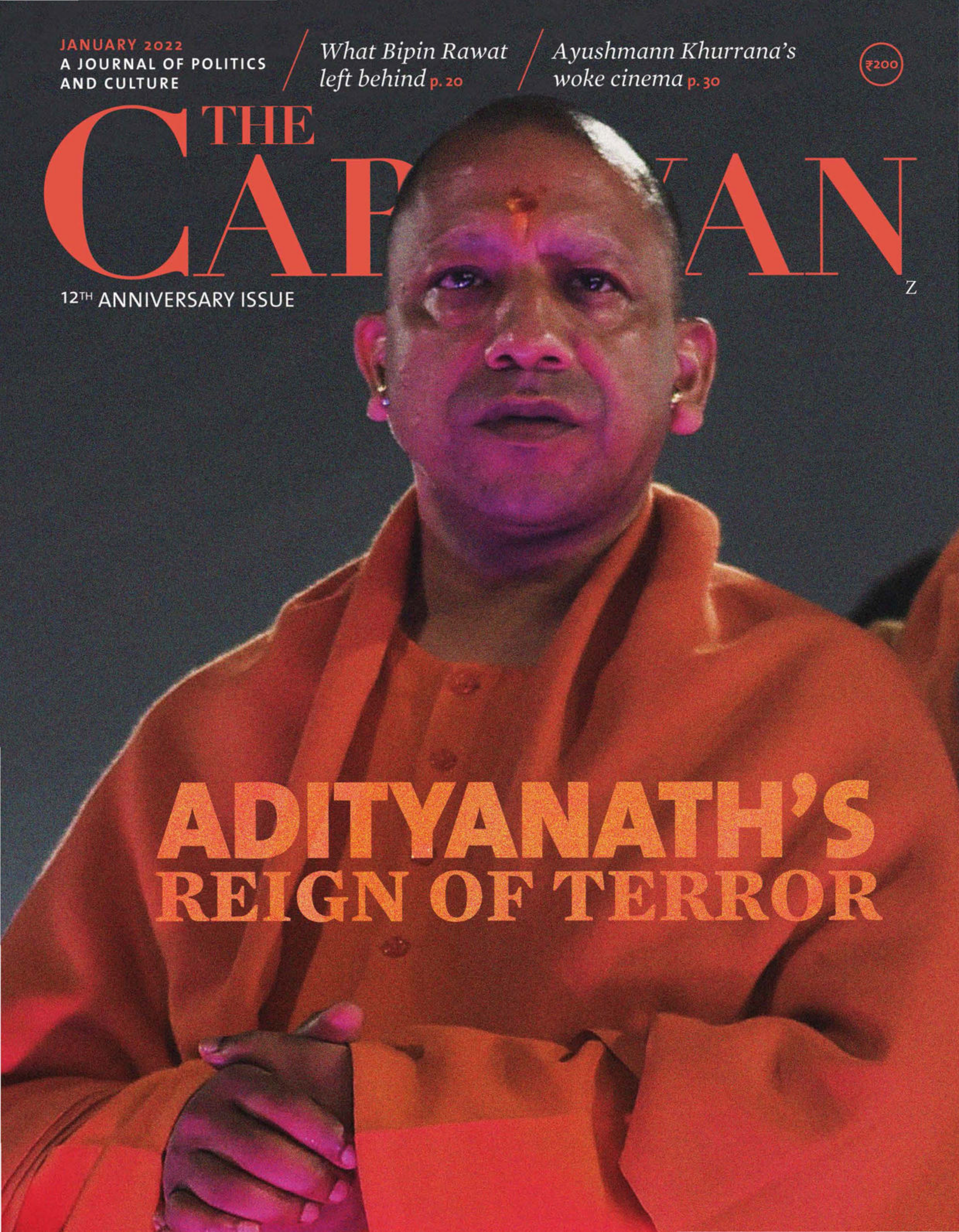
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left behind p.20

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**ADITYANATH'S
REIGN OF TERROR**

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Priest of Violence

Adityanath's reign of terror

DHIRENDRA K JHA

As the 2022 assembly election in Uttar Pradesh approaches, Adityanath's government has unleashed a blitzkrieg of advertisements highlighting its supposed achievements. It is a concerted effort to whitewash the priest's image and to deflect attention from the terror and violence the state has witnessed during his term. Adityanath's blatantly communal approach is hardly hidden; it dominates his public speeches and is enacted in measures such as the "love jihad" law, cow-protection programmes and the ruthless suppression of anti-CAA protests. These measures represent authoritarianism in the eyes of his opponents, but to the section of Hindus that constitutes the main support base of the BJP and its parent, the RSS, they are evidence of his hatred for Muslims—the best qualification for becoming the poster boy for the Hindutva agenda. And yet, Adityanath has not offered any tangible benefits even to his Hindu constituents in Uttar Pradesh. His attempts to make Muslims' lives miserable have delighted Hindu communalists in the state as well as the rest of the country.



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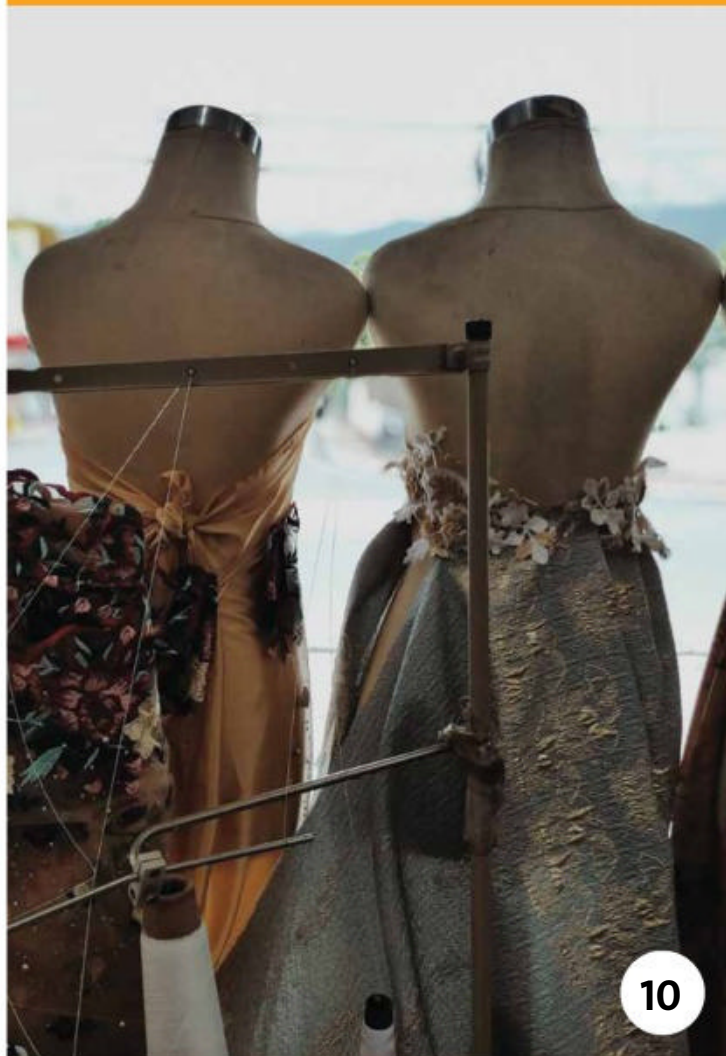
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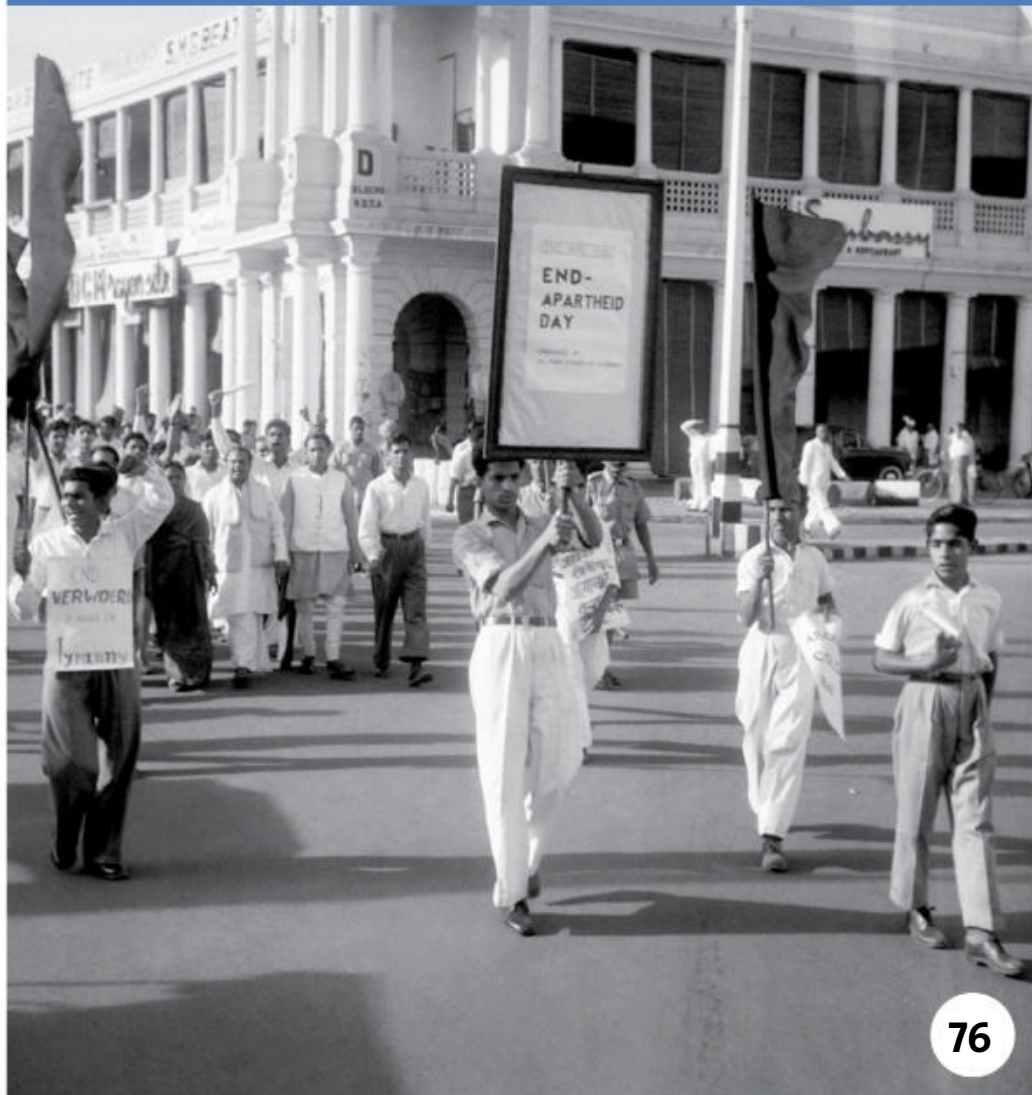
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The Caravan wins a Red Ink Award 2021

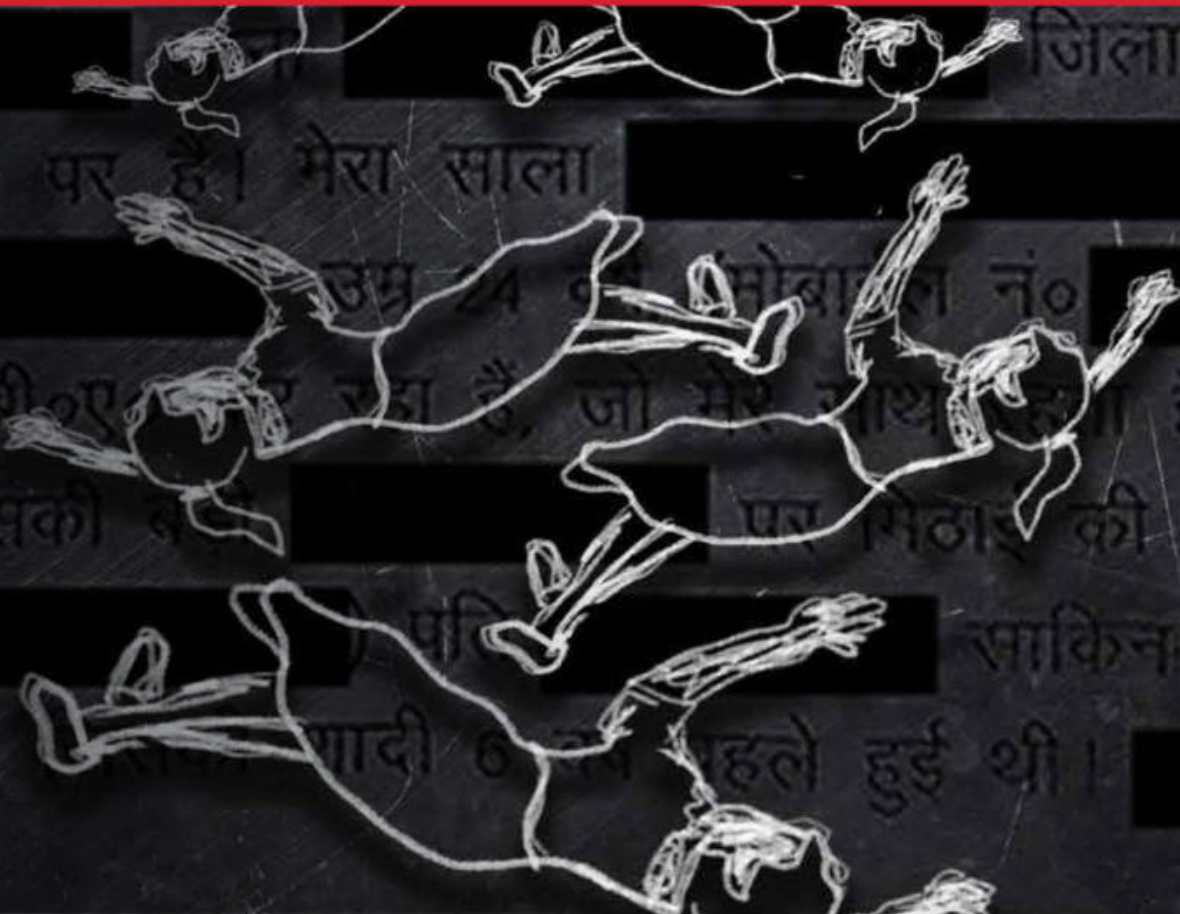
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Category
Politics

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Kimi Colney

Story Title
Non-Naga communities fear the secrecy surrounding the government's peace talks with the NSCN

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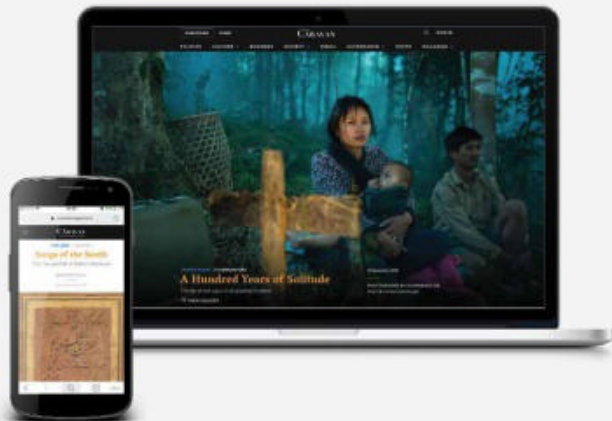
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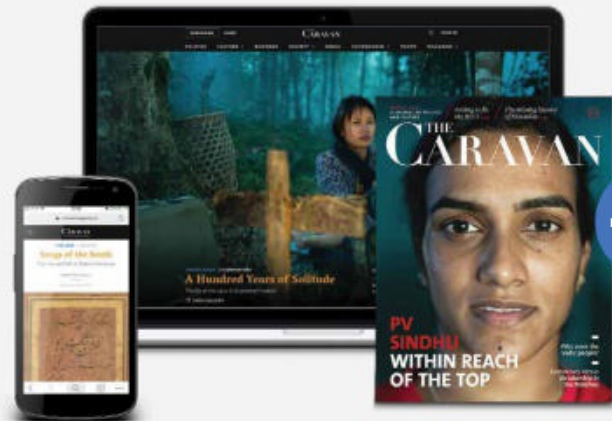
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Stitches in Time

The South Asian tailors of Timor-Leste weave their own dreams / **Communities**



AASHNA JAMAL

/ AASHNA JAMAL

As he closed up his tailoring shop in Abbottabad, one evening in 2013, Shoukat Hayat Khan received a phone call from an old friend. It was an invitation to relocate to Dili, the capital of Timor-Leste, where he could earn a guaranteed salary of three hundred

dollars a month. Khan, who used to make uniforms for cadets at the nearby military academy, sold his shop and gathered around three thousand dollars to make the trip. He was soon making a thousand dollars a month in salary and commissions and, once his contract expired, he decided to open his own shop.

The friend and his brother had been inviting Pakistani tailors to work in their shops since the early 2000s, tapping into their social networks—friends, family, acquaintances and even UN peacekeeping forces, who remained in the country until 2012—for contacts. Many of the tailors had never heard of Timor-Leste, but decided to take a

chance on the promise of airfare and a three-year contract. Today, a motley crew of South Asians weave their own dreams as they stitch other people's clothes.

Timor-Leste was a curious land of opportunity. A month after the Portuguese ended four hundred years of colonial rule, in November 1975, it was invaded by Indonesia and managed to gain its independence only in 2002, after a bloody struggle. The brother of Khan's friend, a Pakistani businessman based in Indonesia, had travelled to Timor-Leste soon after to look for business opportunities. As Indonesian tailors fled the country, he realised he could help fill the vacuum. Other South Asians migrated to Dili over the next few years, and the first Pakistani shops faced stiff competition from Indian and Bangladeshi outfits.

Over the last two decades, the small upper class of Dili saw the country open up. While flying out of Timor-Leste—which has one of the lowest per-capita incomes in the world—was affordable only for a narrow segment of the rich, people from all economic strata wanted new clothes for a multitude of social events peppered throughout the year: engagements, weddings, Catholic and traditional ceremonies.

Khan was the first tailor I met when I arrived in Dili, in 2018. I went to him with a dress that needed darning, and he said, "Five dollars." My South Asian haggling skills came to the fore but, after some annoyance, he smiled and explained, "These are the prices we work with here. Why else would I come to this corner of the world?" (Over the next three years, I would use his services for minor repairs but was adamant that I would not get a dress stitched by him, since he charged four times as much as it would cost in India.) I sat on a stool as he deftly gave instructions to his Timorese helper in fluent Tetun—one of the two official languages—while fielding questions from two middle-aged women. I asked him how he got so good at the language. It took him four months, he said. "I just had to learn to get by."

While some economic immigrants pay to learn Tetun at schools in Dili, most tailors could not afford language lessons after spending most of their savings getting there. Their first few months were full of complaints from customers that they could not understand. Those who had lived in the region before travelling to Timor-Leste got by with Bahasa Indonesia, which most middle-aged

Timorese were taught during the occupation. Others used Timorese staff as a buffer to mollify irate customers.

It is quite easy to trace the genealogy of most South Asian tailors in Dili. Many of them called their friends for work. "*Yari-dosti over rishte-dari*"—friends over family—Khan joked. You would rather have a school friend than a nagging relative on the other side of the world. Like him, many Pakistani tailors were from Faisalabad and Abbottabad.

Unlike Khan, however, many tailors did not see through their contracts before branching out on their own. Many sponsors found themselves in a fix. Their business expansion hinged on retaining the talent they had flown in, and they could not open more shops if their tailors left them in the lurch. Today, many Dili-based franchise owners from India, Pakistan and Bangladesh value skill and loyalty over nationality. "It hurts more when you fly someone all the way to Timor and then they desert you," one owner told me.

Meraj Alam, an Indian business owner in Dili, disagrees with the practice of flying tailors in. "People need some skin in the game," he told me as we chatted one day in his busy hardware shop, a side business. When he developed an interest in the tailoring market, he had a clear plan: he would tell potential employees about Timor-Leste's lack

The friend and his brother had been inviting Pakistani tailors to work in their shops since the early 2000s, tapping into their social networks—friends, family, acquaintances and even UN peacekeepers—for contacts.



of development and ask them to pay for their own ticket. He did not want people harbouring dreams of an airconditioned boutique in Singapore only to realise that it is much harder to get by in Dili.

Alam himself arrived, in 2009, on the recommendation of his father's friend. With an engineering diploma, he was excited at the promise of getting field experience in the country's nascent telecommunications sector. Relegated to being a shop assistant instead, he left the job. He started

OPPOSITE PAGE:
While flying out of Timor-Leste is affordable only for a narrow segment of the rich, people from all economic strata want new clothes for a multitude of social events.

rigging calling cards to sell cheap phone credit to UN staff for making overseas calls. He soon saw the opportunity in the tailoring business and started looking for people to come over. “I told tailors that they would have to adapt and learn new dress patterns,” he told me. “They were accustomed to making salwar-kameez and had a lot to learn.”

As some of his tailors began to learn from their mistakes, he also roped in an innovative designer from Dubai, who impressed the VIPs of Dili. “They had never seen such designs,” Alam said wistfully. But he could not retain the designer; Dili was too small to contain his dreams. He had to make do with tailors who knew simpler patterns.

Some shop owners have begun training up Timorese tailors or recruiting from other countries. “Filipinos and Indonesians are not emotional like South Asians, who take a slight to heart and walk away from partnerships in a huff,” a Pakistani businessman said. “They also prefer to make a steady living than start competing like other Pakistanis.”

Md Rubel, a Bangladeshi foreman who now owns a tailoring shop, flew in his brother to work with him. His shop is in Becora, on the outskirts of Dili. “I have my clientele here, so why would I move?” he told me. His distance from the city centre protected him from competition. Tailors are spread across the city but concentrated in the neighbourhoods of Bairopite, Akaed and Colmera. While agglomeration effects that make such clusters more profitable—by increasing the probability of buyers finding sellers—played a role, one tailor, who did not want to be named, had another theory: it was not economics, but spite. When tailors started breaking away from sponsors, he said, the sponsor would get angry and open a competing shop near that of the deserter.

There may be infighting and resentments among South Asian tailors, but they have become very popular with their Timorese clientele, who trust their skill. This is a shift from the early years, when tailors often ruined dresses whose style was foreign to them. The Timorese would get angry with the tailors, all of whom they called *ema India*—Indian people.

The Partition of 1947 may have divided India and Pakistan, but these divisions do not matter to the Timorese. “They all look alike,” one woman told me. Timorese people watch Indian films with the same zeal as they do Indonesian soap operas. One friend described how, during the Indonesian occupation, twenty or so families would huddle in one house and watch Bollywood films for respite. Many children were named Anjali and Tina, after the heroines of *Kuchh Kuchh Hota Hai*.

The divisions are weaker among the South Asians themselves. Despite everything, Alam told me, “Indians and Pakistanis live here without fighting.” They eat and play cricket together. “All of us old men drive to the big ground in Tasi Tolu, just outside Dili, and play next to me,” Khan chuckled. “It’s a couple of us old men huffing and puff-

Many tailors have racked up losses in the last few years. Government contracts to make flags and school uniforms have dried up. Tailors can no longer rely on civil servants for tips and steady work.



ing to run between the wickets.” The tailors are often joined by South Asians working in the restaurant, hardware and construction businesses. They have WhatsApp and Facebook groups on which they make lunch plans and exchange notes on which supermarket has *dhania*—coriander, ubiquitous in South Asian cooking but rare in Dili.

Every Friday, Muslim tailors offer prayers at the local mosque, where they have found an imam who delivers sermons in Urdu, and eat at *padang warungs*—restaurants serving the halal cuisine of western Sumatra. During Ramzan, they organise iftar together. The tailors told me they do not face religious discrimination despite being a minuscule minority. Although Timor-Leste has one of the biggest Catholic majorities in the world, its first prime minister, Mari Alkatiri, was Muslim. “We have seen enough war

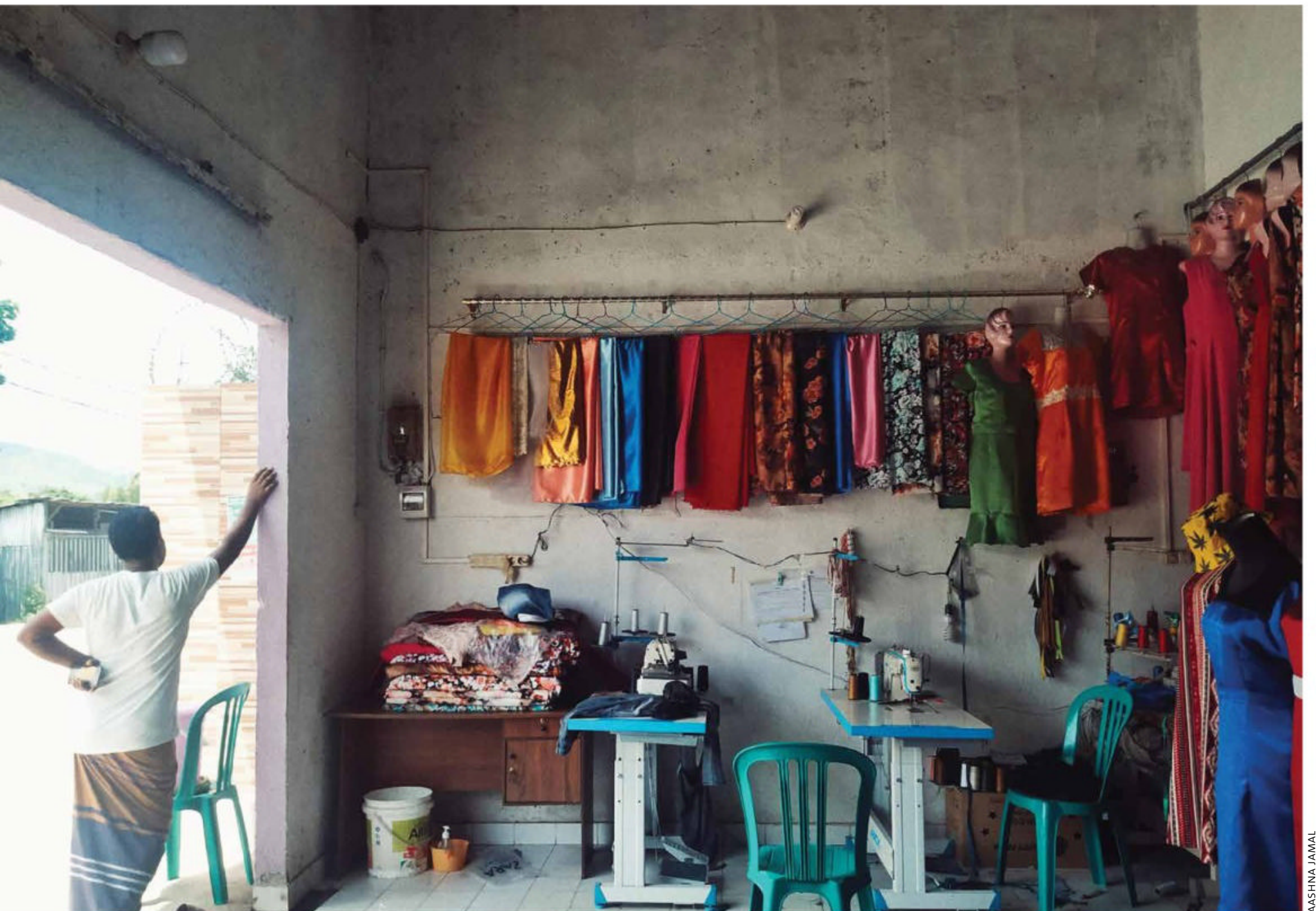
and hardship,” a Timorese resident of Dili told me. “We do not want to seek problems on the basis of religion.”

Although it remains a safe haven for people far from their homelands, Timor-Leste is no longer the land of opportunity it once was. Since 2017, when the president refused to swear in several ministers because of corruption charges, the government has found itself in a political impasse and finds it difficult to pass the annual budget. In a country where nearly ninety percent of the gross domestic product is fuelled by government spending, this has grave consequences—if the government does not spend, the people cannot spend. Many companies have shut shop in the past year, leading to further job losses. Things do not look good for the Timorese economy even after accounting for COVID-19. GDP growth fell from -3.8 percent in 2018 to -8.6 percent in 2020.

“Business is bad all around,” Khan told me. “People do not want new clothes at this time.” Many tailors have racked up losses in the last few years, and franchise owners with multiple shops—who have to keep paying rents, salaries and commissions—are the worst hit. Government contracts to make flags and school uniforms have dried up. In an unsteady political climate, civil servants are transferred based on allegiances, which means tailors who have long cultivated personal relationships with them can no longer rely on them for tips and steady work.

“I got a phone call from a Pakistani in Japan a few weeks ago,” Khan said. “He wanted to go into business with me, selling Japanese cars in Timor.” He was not in a position to take such a risk, but Alam took up a similar offer. He began selling second-hand Japanese cars, which helped him offset the losses from his tailoring business.

People like Alam, who have the capital to diversify their businesses, are looking for other avenues. The owner of Ali Textiles became an importer of cloth and embroidery from Indonesia. Rubel began selling dresses and cloth from Bangladesh. Selling cloth offered lesser profits, but it was better than nothing as the revenue stream from tailoring dried up. The COVID-19



AASHNA JAMAL

pandemic exacerbated the crisis, as the disposable income of Timorese people fell further. The country's borders have been sealed since April 2020, through a series of emergency orders, which crippled trade and industry.

Khan used to send money home a few times a year but, in 2020, he managed to do so only once. Although the government had waived tax payments due to the pandemic, he still had to pay rent and salaries. He was thankful that the government announced a new lockdown on 29 December, after people had ordered new dresses for Christmas and made some down payments. If not for Christmas, he told me, he would have made no money in the year. "I wanted to return to Pakistan in 2020, but I had no business for a year," he said, looking into the distance. "I ate into my savings of four thousand dollars. I may just leave on the first flight when borders open up, savings or no savings."

Timor-Leste is an unlikely home in the region, where Indonesia is cheaper and Singapore provides better wages. However, with visa on arrival,

little domestic competition and comfortable if not high earnings, the country hit a sweet spot for many years. The pandemic, as well as the political and economic crises, have made many tailors question their decision to stay on.

Leaving is not easy for those who have spent a decade here. They now share the fate of the country, rejoicing in its progress and feeling the weight of its slowdown. Unlike foreign workers in international agencies and development partners, this class of economic migrants does not have a headquarters to help them plan their next move. Their lives in their home countries are a mere echo. The chaos of Timor-Leste is their present.

Alam has been home only thrice in twelve years. One of those times was to marry his childhood sweetheart, who came to Timor-Leste with him. His children were born in Dili, and speak fluent English and Tetun. They only partly understand Hindi. Even as he tries to withstand the changing tides in Timor-Leste's road to progress, he seemed sure of one thing. Dili is their home, and they plan to stay. ■

ABOVE: Rubel has begun selling dresses and cloth from Bangladesh. Selling cloth offers less profits, but it is better than nothing as the revenue stream from tailoring dries up.



On Guard

The European Union's border agency comes under fire / **Government**

/ **JOSEPH GALVIN**

Around 5 pm on 4 February, roughly a hundred and fifteen kilometres north of Libya, a white reconnaissance plane with a camera on its underside circled a raft carrying a hundred desperate migrants trying to cross the Mediterranean Sea to reach Europe. The surveillance footage from the airplane's camera was transmitted live to an office in Warsaw, Poland, at the headquarters of the European Union's border-patrol agency, Frontex.

Two hours later, thanks to this surveillance footage, a Libyan coast-guard cutter caught up with the migrants and ordered them to stop, even though they were well outside of Libyan waters. Armed officers took the migrants on board, beat them savagely and carried them back to the one place they did not want to go: Libya's gulag-like detention centres.

Efficient and brutal, the at-sea capture and on-land internment of these migrants is what EU officials hail as part of a successful partnership with Libya in their "humanitarian rescue" efforts across the Mediterranean. For many, though, the true intent of this joint campaign is less to save migrants from drowning than to stop them from reaching European shores.

Since the migrant crisis started in 2015 and hundreds of thousands of people began crossing the Mediterranean Sea, European officials have relied heavily on the Libyans to stem the flow. Not only did the EU equip and train the Libyan coast guard, it also lobbied the United Nations' maritime organisation to recognise an enlarged search-and-rescue zone so that the Libyans could have wider reach off their coast. The result of this collaboration has been a precipitous drop in the number of migrants reaching Europe: around twenty thousand migrants arrived in the first seven months of 2021, down from seventy thousand during the same

period in 2016. Without the support of aerial reconnaissance from Frontex, the Libyan coast guard would, in effect, be searching with its eyes closed.

Frontex has long denied direct cooperation with Libya, a failed state largely run by militias. It has insisted its sole aim is to save lives and has said that it only directly alerts Libyan authorities of migrant boats in a true emergency. "International law obliges all vessels to provide assistance to any persons found in distress," a Frontex spokesperson told me, adding that the agency "has never engaged in any direct cooperation with Libyan authorities."

But a mounting body of evidence shows otherwise.

In 2020, for instance, Lighthouse Reports, a watchdog organisation in Europe, documented twenty instances in which Frontex aircraft were in the vicinity of migrant boats later captured by the Libyan coast guard. In a dozen of those cases, Lighthouse determined, Frontex was the first to identify the boats, meaning that, under international law, it was obliged to notify not just the Libyan coast guard but the nearest vessel—government or commercial—so that a rescue might be promptly undertaken. "There is a clear pattern discernible," Lighthouse researchers asserted. "Boats in distress are spotted, communications take place between European actors and the Libyan Coast Guard. No notice is given to nearby commercial shipping or NGO vessels despite proximity to urgent situations where boats are in distress on the open sea." While the real numbers could be far higher, this representative sample showed that Frontex was present and watching while at least ninety-one people went missing and are presumed to have drowned.

That same year, *The Guardian*, in collaboration with Lighthouse, published the actual recorded exchanges between a European surveillance plane and the Libyan coast guard as the Libyans

sought to intercept two migrant boats. "OK sir, my radar is not good, is not good, if you stay [over the boat] I will follow you," a coast-guard captain radioed the plane. "We have approximately five minutes left on station," said the plane's pilot, as he tried to guide the coast guard to the migrant vessels. "We will go overhead the vessel, the rubber boat, and we will light our landing lights."

Hussein Baoumi, Amnesty International's Libya researcher, said he was not surprised by Frontex's continuing denial of a formal relationship with the Libyan coast guard. "They want to separate themselves from the dirtiest aspects of migrant containment," Baoumi said. "It doesn't matter. They are cooperating. They are directly complicit."

The EU has also denied directly funding the migrant prisons in Libya and has consistently both conceded their barbarity and called for improvements. But it has resisted calls to date to end its work with Libya and take steps to rescue those caught up in the country's migrant jails.

But, if the EU does not pay to build the detention centres or staff their guards, European money does pay for virtually everything else in the inhumane system where migrants are routinely tortured, raped, unlawfully held and sometimes murdered. Through Frontex drones and planes, the EU is first responsible for spotting the rafts and, via Italian and Maltese authorities, handing this intelligence over to Libya. Then EU-purchased boats operated by the Libyan coast guard capture the migrants and bring them back to shore.

An investigation by the Outlaw Ocean Project, a non-profit news organisation in Washington DC, found that funds from the EU and its member states, sometimes routed through aid organisations, pay for most of what happens next. This money bought the shipping containers that double as port offices for the coast-guard staff, and



the touch screen tablets used by aid workers who count the migrants as they disembark in Tripoli. This money pays for many of the buses used to transport the migrants from port to the detention centres and the blankets, winter clothes and slippers they often receive upon arrival. The bathrooms at some of the detention centres, as well as the showers, soap, hygiene kits and toilet paper, were bought with EU money. The same goes for the mattresses on which the detained migrants sleep. EU money paid for the SUVs used by Libyan migration authorities to look for migrants if they escape detention or as they enter Libya in the south through the Saharan desert. When migrants in detention get sick, the ambulances that take

them to the hospital have often been purchased by the EU. And, when migrants die—washing ashore or in detention—EU money often pays for the body bags and to train Libyan personnel on how to handle the corpses in a religiously respectful fashion.

Much of this funding is well-intentioned, even life-saving. But it is beyond denial that the EU and its member states financially sustain the system in Libya by which thousands of migrants are being captured and held in ghastly conditions. And, since Frontex is the tip of the spear, more attention is being paid to the role it plays and the legality of its involvement.

A recent investigation carried out by the European Parliament produced a litany of allegations

ABOVE: Migrants arrive on the Greek island of Lesbos in a dinghy accompanied by a Frontex vessel. Frontex faces many allegations of either committing or overlooking serious misconduct, including human-rights violations.

BELOW: An operations room at Frontex's headquarters in Warsaw. In theory, there is a range of mechanisms by which Frontex could be held accountable, but it has rarely, if ever, faced any genuine sanction.

against the agency: that it turned a blind eye to human-rights violations committed by coast-guard personnel from both European countries and partner countries in Africa; that its own internal system for receiving and acting on complaints of misconduct was a failure; and that the agency's head, Fabrice Leggeri, had failed to act on four years' worth of warnings made by his agency's own top human-rights official.

In an interview with the Outlaw Ocean Project, in late October, a senior Frontex official said Leggeri had engaged in a calculated and disingenuous game for years, insisting that "evidence" of misconduct by EU border agencies be produced before he would act while failing to ensure that complaints of such potential abuse were aggressively investigated. The senior official said they were no longer confident Frontex was meeting its most essential obligation: making sure the rights of some of the world's most vulnerable people were respected. The official said the angry and volatile emotions in Europe concerning the question of migration enforcement had eroded Frontex's complete independence. "The influence of politics is a problem when you are handling the question of fundamental human rights," the official said.

Even if its participation in returning migrants to Libya is indirect, Frontex may be violating EU law. "No interest," the official said of Leggeri and his most senior aides. "It didn't matter what you told

them. They didn't want to understand." Leggeri denied repeated requests for an interview.

In 2020, migrants brought two landmark cases against Frontex before the Court of Justice of the European Union, the EU's chief judicial authority. The cases mark the first time Frontex has been brought before the court.

The first case, filed in May, claims that Frontex has long been operating in violation of its obligations to report and halt criminal abuse of migrants seeking asylum in Europe. The case alleges that two migrants—a 17-year-old Congolese boy named Jeancy Kmbenga and a woman from Burundi who asked to remain anonymous—were part of a group of 13 that was rounded up by Greek authorities after arriving on the Greek island of Lesbos. They say they were forcibly transferred to a coast-guard vessel and taken back out to sea before being abandoned on a lifeboat, eventually ending up back in Turkey.

The allegations in the second case, filed in October, are arguably even more damning for Frontex. The case alleges that a Syrian family, with four young children between the ages of one and seven, was deported from Greece in 2016 without being given access to asylum procedure and returned to Turkey on a flight arranged by Frontex, with the children separated from their parents while Frontex staff looked on. The family was detained on landing in Turkey and now lives in northern Iraq.



KACPER PEMPEL / REUTERS

In a report published last summer, Human Rights Watch issued a sweeping indictment of Frontex's performance, its organisational culture and its leadership. "Frontex has repeatedly failed to take effective action when allegations of human-rights violations are brought to its attention," Eva Cossé, a Western Europe researcher at Human Rights Watch, said. "Its rapid growth into an executive agency of the EU, with increased powers, funding, and legal responsibilities, makes it all the more urgent for Frontex to put in place effective tools to safeguard fundamental rights."

Created in 2004, Frontex now has a budget of more than half a billion Euros and employs more than fourteen hundred staff members, including a uniformed force of roughly six hundred officers. The agency is governed by a management board consisting of representatives of the 25 EU member states and two members of the European Commission. In theory, there is a range of mechanisms by which Frontex could be held accountable, but it has rarely, if ever, faced any genuine sanction. Obtaining basic information from the agency, even for a member of the European Parliament, is difficult. "We really have problems with the lack of transparency," Tineke Strik, a Dutch member of the European Parliament, said.

In an analysis of the history of Frontex's work, Human Rights Watch noted that, under its own bylaws, the agency has the power to suspend or end the operations of EU border agencies found to have committed abuses against migrants. In its entire history, Human Rights Watch said, the agency has never done so.

Leggeri, Frontex's executive director, has faced repeated calls for his resignation in recent months. Protesters gathered outside Frontex's offices in Brussels recently calling for the agency to be abolished altogether. In a letter to his staff, Leggeri, who worked on migration enforcement as a member of the French interior ministry, called the protests a "hate campaign" and vowed legal action.

In June, Human Rights Watch sent the agency's top officials what it said

was evidence of serious misconduct either committed or overlooked by Frontex in three European countries. It has yet to get a response. The organisation accused Frontex of a cynical semantic game in avoiding responsibility for abuses taking place in both the Mediterranean and Aegean seas.

"Over the years, Frontex has relied on its coordinating role and lack of executive authority to evade human rights responsibility," Human Rights Watch wrote. "In December 2020 Frontex Executive Director Fabrice Leggeri told the European Parliament there was no evidence of Frontex's involvement in abuses in the Aegean and that only member states had the authority to make operational decisions, implying that Frontex could not be held responsible."

Frontex, under pressure, ordered an internal review of its operations. Its own investigators offered a withering critique of the agency's systems for reporting problems in its ranks. The investigators said the agency needed to acknowledge its failures, and recommended what amounted to an overhaul of the agency's culture concerning its responsibilities for identifying and acting on concerns about human-rights violations. It suggested that Frontex take care to record videos of the enforcement work being done by EU member states and preserve them for investigation.

In June, the Platform for International Cooperation on Undocumented Migrants, a migrants' rights organisation that had for years been part of an independent board of advisers to Frontex, withdrew from the group. It said it felt ignored and marginalised and had grown uncertain of Frontex's role in "a civil society."

On yet another front, in January 2020, the European Anti-Fraud Office opened an investigation into Frontex, with media reports claiming it was looking at allegations of fraud, cases of illegal treatment of migrant pushbacks and issues of workplace harassment, although the specific allegations have not been made public. Both Frontex and the European Anti-Fraud Office confirmed an investigation was taking place but did not offer further details. "[They] are

operating very carefully," Strik said. "But I spoke to them in August and they hope to finish within a few months."

Frontex's work with Libya, of course, is part of a much larger and more expensive European push to outsource immigration enforcement to third-party countries. The EU has sent billions of dollars to countries such as Libya, Niger and Tunisia, ostensibly to help them improve conditions in their countries and thus limit the need for people to flee. But tens of millions of those dollars have gone to toughen immigration legislation and empower enforcement agencies in those countries.

In July, Amnesty International issued its latest dire report on the state of migrants in Libya. It noted that the Libyan coast guard, often alerted by Frontex to migrants trying to make it to Europe, raced to intercept migrant boats and capture those aboard, sometimes firing guns at the rafts or dinghies, occasionally capsizing them. In February, for example, the coast guard fired on a raft, puncturing it and causing it to sink. Five people drowned as members of the coast guard filmed with their cell phones, the report said.

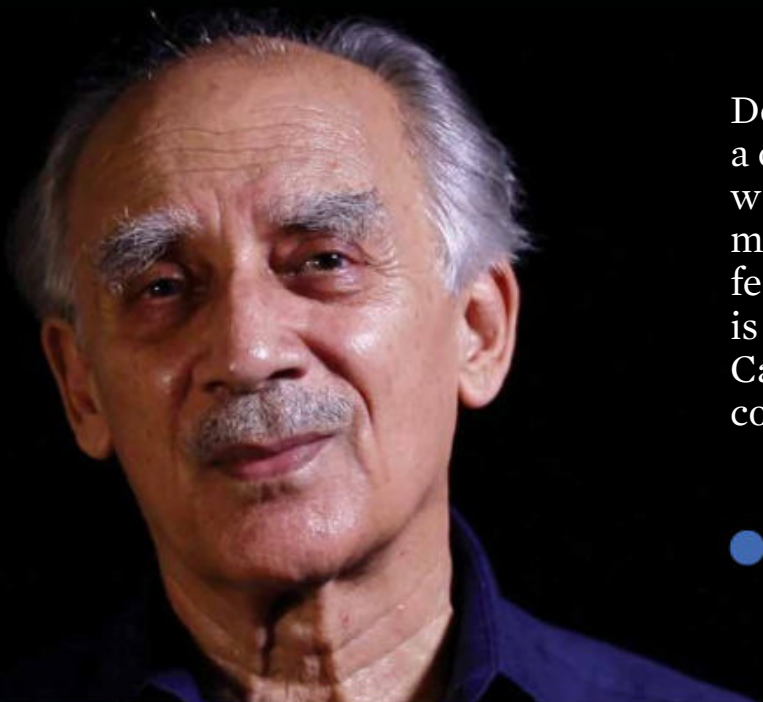
Frontex is surely aware of longstanding concerns about the Libyan coast guard, an organisation it has found itself regularly assisting. The coast guard, really a hodgepodge of local port authorities, has for years been understood to be working in concert with the country's militias—many of which are involved in human-trafficking. Indeed, the head of the Libyan government agency overseeing the crackdown on migrants has openly admitted in a series of recent interviews that corruption exists within the ranks of the coast guard.

The senior Frontex official who talked to the Outlaw Ocean Project said they had made clear that doing any sort of business with the Libyan coast guard was unthinkable, in part because Europe "didn't have a clue" as to the integrity of those purporting to belong to the coast guard. Things were simply too broken and opaque in Libya, a divided and violent country still struggling to emerge from years of civil war.

"It's impossible," the official said, "to have any vetting of who is who." ■

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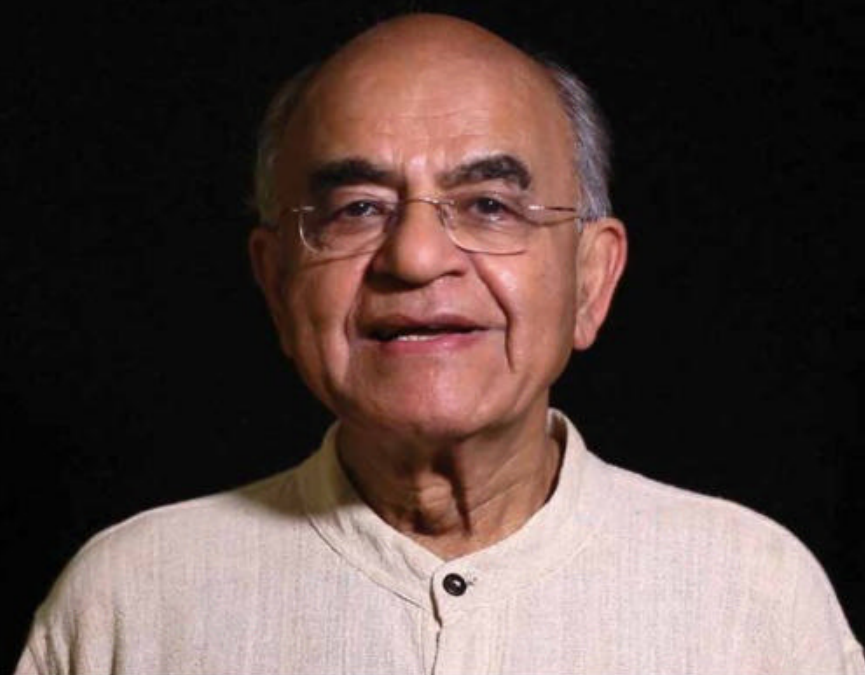


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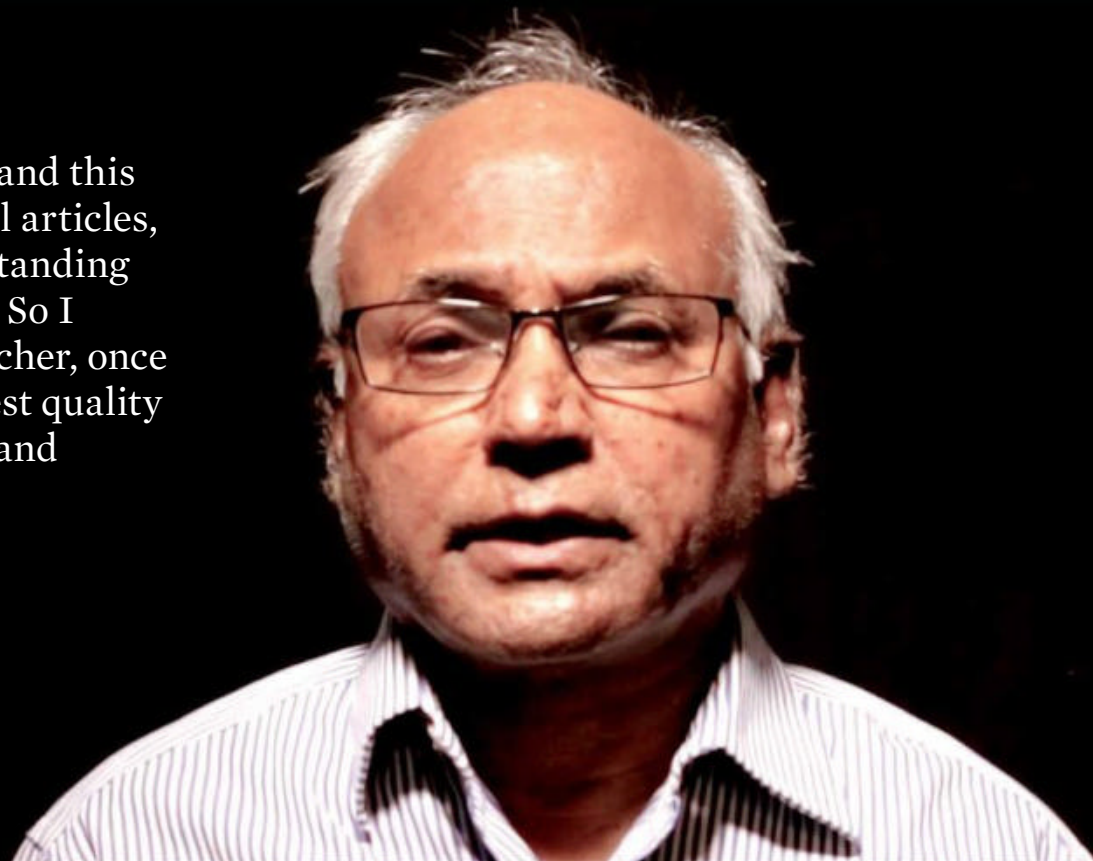


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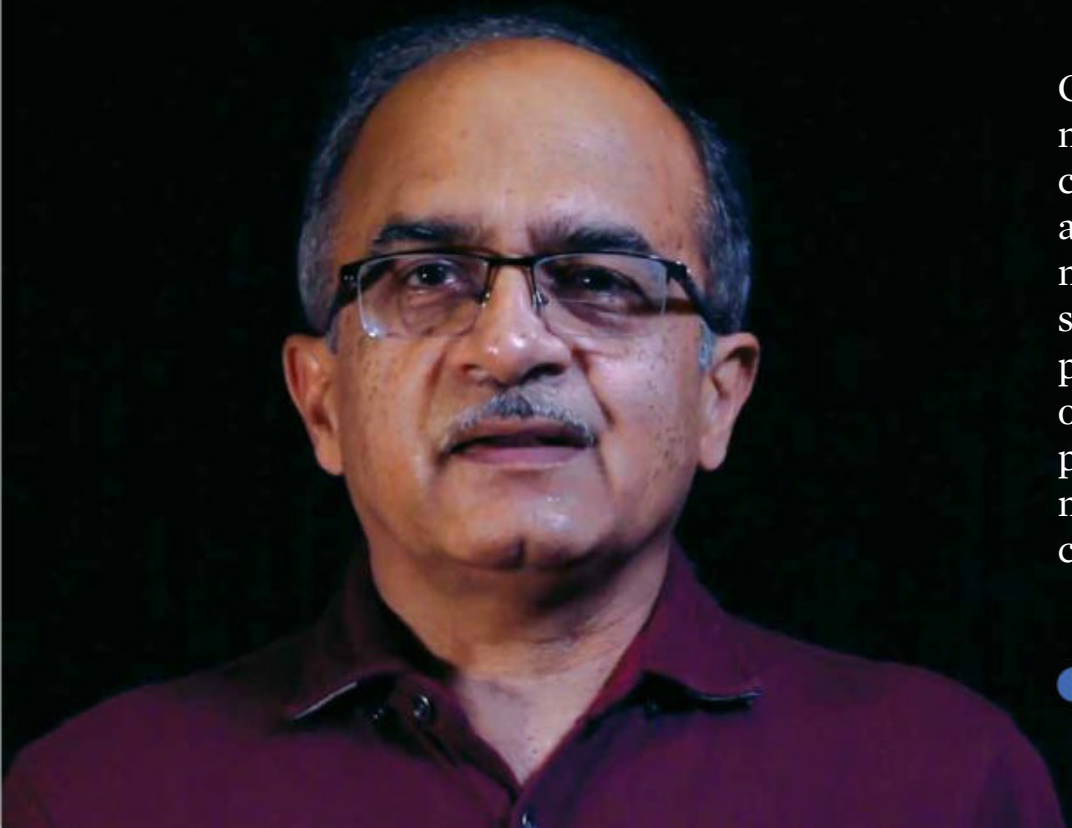
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● ● **PRASHANT BHUSHAN, Lawyer**



PERSPECTIVES



Tall Orders

Lack of political ownership on restructuring military commands leaves the next Chief of Defence Staff with a massive challenge / **Security**

/ **SUSHANT SINGH**

The untimely death last month of Bipin Rawat, the country's longest-serving four-star military officer, attracted a lot of public attention, mostly laudatory and eulogising the current political dispensation's favourite general. His legacy as the chief of defence staff, nearly two years after he became the inaugural incumbent in the post, however, remains contested. The burden of this contested legacy, both political and military, will be borne by his successor, who has an unenviable job on his hands.

When Rawat was announced as the CDS, in December 2019, he was tasked with creating much greater synergy among the three armed forces, working on a three-year timeline. He specifically had to facilitate the "restructuring of Military Commands for optimal utilisation of resources by bringing about jointness in operations, including through the establishment of joint/theatre commands." The restructuring of military commands was the main goal driving Rawat and is the touchstone by which his abridged tenure as CDS has to be judged. For all of Rawat's perceived closeness to the executive and the political backing he received, his progress on this has been patchy.

The origins of the CDS's position and mandate trace back several years. In February 2016, the Chinese reorganised their seven military regions into five integrated theatre commands, each specific to an adversary. For instance, the whole Sino-Indian border now falls under the western theatre command of the People's Liberation Army. Theatre commands, a concept borrowed from the US military, are geography-specific entities, each answering for a theatre of operations. Theatres of operation are defined land and sea areas to be defended or invaded in coordination by all available forces, and include areas necessary for administrative activities incident to military operations. The United States divides the whole world into

geographic theatres, each spanning numerous countries and oceans. India is one small part of the US military's Indo-Pacific command, headquartered in Hawaii.

The recommendation that India form theatre commands was first made in the Shekatkar Committee report, submitted to the defence ministry in 2016. Tasked to work on "enhancing combat capability and rebalancing defence expenditure of the armed forces," the committee proposed three integrated theatre commands: northern, for the China border; western, for the Pakistan border; and southern, for the maritime theatre. No earlier report, including the review of national security by a group of ministers in 2001, in the wake of the Kargil conflict, had made that suggestion. The GoM, headed by the Bharatiya Janata Party's LK Advani, had limited itself to "integration of the services both with each other and with the Ministry of Defence, the creation of a chief of defence staff and joint operational commands." The difference between jointness and integration is best explained in the words of the former army chief Deepak Kapoor: "integration is a step ahead of jointness in ensuring a synergised approach to operations."

The strategic community, particularly the dominant constituency of retired generals from the army, had been sold on the idea of integrated theatre commands for a few years, and their creation was seen as the next logical reform after the creation of the post of the CDS. The Indian Air Force, however, vehemently opposed this. Others argued for a gradual process, starting with jointness and eventually culminating in integration. Nevertheless, the government took a political decision to go with integrated theatre commands when it announced the creation of the post of the CDS, in 2019. No political leader spoke of this publicly until August 2021, when the defence minister, Rajnath Singh, mentioned it as a given in a speech at the Defence Service Staff College at Welling-

OPPOSITE PAGE:
Bipin Rawat (second from right) was tasked with "bringing about jointness in operations" across the three armed forces, "including through the establishment of joint/theatre commands." This is the touchstone by which his abridged tenure as the chief of defence staff has to be judged.



ARVIND YADAV / HINDUSTAN TIMES / GETTY IMAGES

The political leadership may be a recent arrival on the integration bandwagon but it seems totally seduced by the idea. It plays to the ego of the current government, with its desire to be seen as having made India a great power.



ton. He assured young military officers that the creation of integrated theatre commands was progressing rapidly.

The political leadership may be a recent arrival on the integration bandwagon but it seems totally seduced by the idea. It plays to the ego of the current government, with its desire to be seen as having made India a great power. The political leadership believes that this step puts India in the same league militarily as the United States and China, which already boast integrated theatre commands. S Krishnaswamy, the former chief of the air force, had warned in 2018 that “dividing the country into military theatres sounds jingoist,” but that itself may be politically attractive for the current dispensation. Besides satisfying the ruling BJP’s significant constituency of support among military veterans, this restructuring helps fashion a narrative of reform that deflects attention from the poor modernisation of the armed forces under the Modi government, due in part to a paucity of funds.

Moreover, the argument in favour of integrated theatre commands is simple enough to entice the layman. A unified command of the three defence services will come under a single commander for each geographical theatre that is of strategic concern. The commander of the integrated force will be able to deploy with seamless efficacy the resources at their disposal from all the services. Besides unity of command, this will mean better

coordination and more efficient use of resources. In India's case, the argument becomes even more persuasive when contrasted with the panoply of existing commands—seven each for the army and the air force, three for the navy and two tri-service ones, making for 19 in all. If you are dealing primarily with two adversaries, China and Pakistan, you need one integrated command each for them, and one for the maritime theatre. It is as simple as that.

The three theatre commands were mooted by Rawat in the initial weeks after he took over as the CDS. In fact, it was a no-brainer. Unlike the United States, India does not envisage any out-of-area expeditionary missions, and thus it had to follow the Chinese model of dividing its own territory into theatres. Rawat also proposed two functional commands—an air defence command and a logistics command. He saw these two as low-hanging fruit, and they were to be created in the early summer of last year. Reports suggested that the prime minister would make a grand announce-

Getting the air force on board with the existing plans is going to be the biggest test for Rawat's successor. Even if this is somehow surmounted, the ambitious timelines laid down by Rawat for the creation of theatre commands pose another formidable challenge.



ment about theatre commands in his 2021 Independence Day speech, but this did not come to be. Serious differences over the structure proposed by Rawat came to the fore in June, during a meeting to prepare a draft note for the cabinet committee on security seeking its approval for the creation of theatre commands.

The main opposition came from the air force, which has historically resisted the move. It has argued that for the air force, unlike the army, the whole country is just one theatre as it can swiftly move its assets from one front to another. Krishnaswamy, in 2018, claimed that “the air force is organised and trained to plan operations centrally to exercise the best possible choice and the execution is delegated. Resources and skills being limited, they are spread out geographically.” It would thus be operationally unwise to divide the country's limited air assets—only 30 fighter squadrons, six mid-air refuellers, and five airborne radar and control platforms—among different theatre commands. One former air force chief told me that if these resources were split between theatre com-

mands, the country would need at least seventy squadrons of fighter jets.

Then there is the air defence command proposed by Rawat. The air force never propounded the idea and remains opposed to it. Fali Major, another former chief of the air force, has argued that its primary task—the air defence of India's skies, contiguous territory and littoral states—is an ongoing job that has to be carried out every minute of every day, 365 days a year, whether in times of peace or war. “Air defence command is a no-brainer, since many advanced countries such as Russia and the US created them and disbanded them because they were not working out,” he told *The Print*. The United States disbanded its aerospace defence command in 1980 after realising that this could mean substantial savings on resources without a reduction in operational capability. Russia did the same in 2015. In one of his last interviews, given to *India Today*, Rawat himself conceded that “we have some issues with the air force regarding resources,” but he remained adamant that “an Air Defence Command has to come up. How they will manage the resources, we want only the air force to do, but you need to integrate all airspace management.”

Getting the air force on board with the existing plans is going to be the biggest test for Rawat's successor. Even if this is somehow surmounted or an acceptable compromise is found, the ambitious timelines laid down by Rawat for the creation of theatre commands pose another formidable challenge. In 2021, four study groups were formed, headed by commanders-in-chief from all the services, to provide exhaustive plans for the creation of theatre commands. These reports were to be submitted by the end of December to the new CDS, who will process and finetune the proposals before sending them to the government for approval by April 2022. The government is expected to announce the creation of theatre commands by Independence Day, and to give them one year to be raised and another for operationalisation. If these timelines were tight earlier, Rawat's sudden absence has only made them tougher.

Intriguingly, the existing area of the army's northern command has been excluded from the ambit of theatre-isation. This command pertains to the union territories of Jammu and Kashmir and Ladakh, where the Line of Control with Pakistan and the Line of Actual Control with China are both currently active, and takes in counterinsurgency operations in Kashmir. The air force's deployment in Jammu and Kashmir and Ladakh is also not to be altered. With the powers that be having chosen front-based theatres as the only way to achieving jointness, this exception stands to negate the very concept, predicated as it is on

making a front coextensive with the boundary with a putative adversary and putting one single theatre commander in charge of dealing with a single adversary.

The bigger question is whether such a decision could have been taken by the military alone. It seems to be a political act, where the counterinsurgency operations in Kashmir are seen to be too important to be disrupted by a new command structure. The army has argued that because of Ladakh, which borders both China and Pakistan, for operational and logistics reasons it is not possible to divide this sector between two theatre commands. Reconciling counterinsurgency operations in Kashmir, operations on an active LoC and a forward-deployed posture on the LAC with the concept of theatre commands is a knot left to Rawat's successor to untangle. Fali Major has argued that instead of excluding the army's northern command from the theatre commands, it should actually be the first theatre command to be raised, as a testbed, given that it has historically been a conflict zone. The Chinese model of theatre commands notably did not carve out any exceptions. Putting the most unstable area, and the most likely area of conflict, beyond the ambit of theatre-isation will somehow have to be made compatible with the larger strategic thought driving the whole exercise.

The larger strategic thought would have been clarified by a joint warfighting doctrine issued by the government, yet such a document has neither been written nor is proposed to be written in the near future. The government has backtracked on its promise of producing a national security strategy, a task given in 2018 to the defence planning committee headed by Ajit Doval, the national-security advisor. These two documents would have also tackled the problem of a collusive two-front military threat from China and Pakistan, a proposition that is now real. The last official document making an ask of the armed forces is the defence minister's operational directive of 2009. It lays down that "We should be prepared to fight on both fronts simultaneously a war at 30 days (intense) and 60 days (normal) rates," but the government

has failed to provide the services with the resources necessary to fulfil that mandate. This means that the political leadership is either uninterested or incompetent, or both—not a happy scenario while undertaking major military reform.

In fact, the current problems with the creation of theatre commands stem from a lack of political ownership of the whole process. It is being executed through a flawed bottom-up and standalone process where everything has been left to the military. The government has been missing in the whole exercise after providing cryptic and laconic directions in the original notification. HS Panag, a former head of the northern army command, has argued that leaving the choice between creating theatres or integrated commands to the CDS alone is unhealthy and risky. The government should ideally enforce its decision through suitable legislation on the lines of the US government's Goldwater-Nichols Department of Defense Reorganization Act of 1986. In India, the whole process is being executed through a gazette notification with no discussion or debate in parliament, leave alone a joint services act.

Enactment of similar legislation in India would need political clarity about every aspect of the structural reorganisation of the armed forces. While the G-N Act streamlined the chain of command for the US military, which runs down from the president to the secretary of defence and thereafter directly to theatre commanders, in India there has been no political direction on this crucial matter. The G-N Act also accommodates a defined role for the chairman of the joint chiefs of staff, the principal military advisor to the president and the secretary of defence, who may not exercise military command over the joint chiefs or any of the armed forces they head. At an event in Delhi in July 2021, in Rawat's presence, the former defence secretary NN Vohra asked, "what the defence minister should do in case of an operational contingency—will he speak directly with the theatre commanders or with the service chiefs or only with the CDS?" Rawat had mooted that theatre commanders will report to the chiefs-of-staff com-

mittee, which is again headed by him, and through the COSC to the defence minister. It essentially means that the theatre commanders will report to the CDS, which again makes the CDS an all-powerful military figure, at par with the commander-in-chief in British India. Can such a decision to empower himself be taken by the CDS alone? This points to an abdication of responsibility by the political leadership.

Among other things, the objective of the G-N Act was to reorganise the US department of defence, improve the system of military advice provided to the US president and strengthen civilian authority. The last element is not being discussed at all in the current discourse on theatre commands in India. Is the increased authority of the CDS—the incumbent serves as the permanent chairperson of the chiefs-of-staff committee, secretary to the department of military affairs and operational head of the tri-service commands—compatible with an appropriate degree of civilian control of the military? The consultations within and among all the political parties on this critical matter are conspicuous by their absence.

In the United States, the G-N Act also established the position of the vice chairman of the joint chiefs of staff, stipulating that its holder and the chairman of the joint chiefs of staff cannot be from the same service. When Rawat died, India had no second-in-command to officiate in his place and possess the institutionalised memory to execute his existing plan. A new incumbent is now being expected to start afresh, take over the existing plan and still meet the ambitious timelines—a tall order especially on a task as critical and complex as restructuring the Indian armed forces. This is a risky way of doing things for any government, and one with long-term consequences. It reflects a poverty of thought and preparation before tasking the CDS with the project.

The theatre-isation of the defence services has become a personality-centric exercise. Being politically savvy, Rawat defined and shaped the new role with the backing of his political masters. He quickly became the face of the whole endeavour. Lacking any legisla-



ABOVE: The army's northern command has been excluded from the ambit of theatre-isation. Exempting the most likely area of conflict from the new order of theatre commands will somehow have to be made compatible with the strategic thought driving the whole exercise.

tive input, the political direction for the task also seems to flow from the wishes of the prime minister. It is not grounded in any official document laying out the rationale and need for theatre commands. There is neither a national security strategy nor a joint warfighting doctrine in place. A clear roadmap for implementing the theatre-isation plan does not exist either. The basis for the G-N Act in the United States was the Packard Commission, established in 1985 by Ronald Reagan as president to study various aspects of the US department of defence. No such institutionalised process has been created in India, and this weakness has been laid bare by Rawat's untimely demise.

But Rawat's tragic death has provided us with another opportunity to get things right. An honest appraisal of the process so far will show that the CDS is an important stakeholder in it but has been mistakenly assumed to be the proprietor of the exercise. As an interested party, he should not have become the sole driver of the process. That is the role of the country's elected political leadership,

Lacking any legislative input, the political direction for the theatre-isation of the military also seems to flow from the wishes of the prime minister. It is not grounded in any official document laying out the rationale and need for theatre commands.



which must take public ownership of the task. It must understand that this structural reform is not something internal to the military but will rewire strategic decision-making at the highest levels of the Indian state. If war is politics by other means, as the military theorist Carl von Clausewitz famously postulated, then the consequences of the abdication of political responsibility in such a significant matter will be far-reaching for Indian democracy. ■

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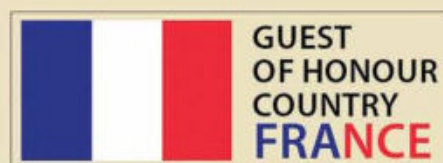
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Life or Death

Nagaland and the north-east cross a new frontier of rage against the AFSPA / **Conflict**



/ **LALNUNKIMI COLNEY**

The annual Hornbill Festival in Kohima was going strong on the evening of 4 December when tragic news arrived. Six men of the Konyak tribe had just been gunned down by personnel of the Indian Army's 21 Para Special Forces near the village of Oting, in northern Nagaland. The army said the men were suspected militants, but they were just civilians coming home from a week-long shift at a nearby coal mine. A search party of villagers then clashed with soldiers departing the site, leaving

another seven civilians and a soldier dead. As soon as they heard of the incident, the Konyak tribespeople performing at the festival stopped their songs of celebration and instead cried songs of lamentation, standing arm in arm.

By morning, Oting had become a familiar name across the state, as it would in the rest of the country over the next few days. Protests erupted across the states of the north-east as statement after statement was written in solidarity with the victims. What angered people most was the impunity guaranteed to the army person-

nel under the Armed Forces (Special Powers) Act. Within days, residents of Oting issued a statement declaring that they had barred "all groups and parties of various factions of the Indian arm forces indefinitely from entering Oting jurisdiction." This was a symbolic move by a civic group and carried no weight in law, but it was especially charged in light of Nagaland's long history of insurgency and separatism. "That is our stand, yes," Khetwang, a member of the Oting village council, told me in late December. "It could be the first time that a village council has taken such a

stand.” Though it was the festive season, “protests are continuing, our village mood is still low,” Khetwang said. “We have not celebrated Christmas, we have banned all activities like sports, music and all kinds of activities in the entire village. All the houses are hoisting black flags.”

On 20 December, the Nagaland legislative assembly passed a resolution condemning the massacre and demanding an official apology. The assembly also unanimously resolved “to demand that the government of India repeal the Armed Forces Special Powers Act 1958 from the North-east and specifically from Nagaland.”

Protests against the killings have continued for almost a month across Nagaland and other north-eastern states, but the wider reaction to the outrage is following a sickeningly familiar script. Every civilian death, rape or other atrocity here at the hands of the armed forces sparks headlines about renewed debate over the AFSPA, but these fade without any real debate on the law in the national capital or the rest of the country. This time, too, beyond a small circle of concerned activists,

Every civilian death, rape or other atrocity at the hands of the armed forces in the north-eastern states sparks headlines about renewed debate over the AFSPA, but these fade without any real debate on the law in the rest of the country.



there have been minimal statements of solidarity from the Indian mainland. The national media has moved on from the deaths of over a dozen innocent people at the hands of an institution meant to protect them. The army has ordered a probe and the government has formed a special-investigation team, but no one seriously expects the killers to be brought to justice for their crimes. Nagaland is still livid, and the unprecedented steps in Oting and the assembly are just two blasts from a seething pressure cooker of rage.

The AFSPA grants the Indian military extraordinary powers to use force—even to the extent of causing death—as well as protection from prosecution in “disturbed” areas, which are notified by the central government. It is currently in force in

all or parts of four north-eastern states—Assam, Arunachal Pradesh, Nagaland and Manipur—as well as in Jammu and Kashmir. The law is descended directly from colonial legislation intended to suppress the Quit India movement, yet it remains on the books nearly seventy-five years after the country achieved independence, and despite the Constitution upholding the fundamental right to life of all Indian citizens.

In Manipur, the act has been in force since 1980. Human Rights Alert, an NGO documenting human-rights violations in the state, has counted 1,528 cases of extrajudicial killings in Manipur between 1979 and 2012. “Some of them are directly by armed forces, some of them are by the police and some of them are a combination of police and the armed forces,” Babloo Loitangbam, HRA’s executive director, had told me in June. Even if the AFSPA does not apply directly to police, he said, it “has created an environment where the security forces can get away with killing. That’s why so many killings are happening.” Loitangbam described the 1,528 extrajudicial killings as “only the tip of the iceberg,” since HRA’s tally had not considered cases before 1979 or in other north-eastern states.

Around the time of my interview with Loitangbam, Manipur was consumed with outrage at yet another killing by the armed forces. Mangboilal Lhouvum, a 29-year-old from Chalwa village in Kangpokpi district, had recently been shot in cold blood by the Assam Rifles, a paramilitary force. After a first-information report was filed against Assam Rifles personnel, I met his family and residents of the village. The residents told me that the force had withheld part of the ex gratia payment promised to the family as compensation, saying they would hand over the rest only if the FIR was retracted. One villager told me he had been threatened over the phone for his part in protests against the killing.

There has been one massacre after another in Manipur, as across the north-eastern states, over the years: the Heirangoithong massacre in 1984, the Tera Bazaar massacre in 1993, the Royal Medical College massacre in 1995, the Churachandpur massacre in 1999, and many more. In 2000, ten people were killed while waiting at a bus stop in Malom, in the Imphal valley—an incident that led to the monumental 16-year hunger strike by the activist Irom Sharmila.

OPPOSITE PAGE:

The site where six men of the Konyak tribe were gunned down by Indian Army personnel on 4 December. Within days, residents of Oting issued a statement declaring that they had barred “all groups and parties of various factions of the Indian arm forces indefinitely from entering Oting jurisdiction.”

Added to this is a terrifying list of sexual crimes also stretching over decades. In one early case, in 1974, Rose Ligshen was allegedly raped by a member of the Border Security Force in a Manipur village. The young woman took her own life soon afterwards, while the accused walked free. In 2003, a 15-year-old accused members of the Gurkha Rifles of raping her, and later killed herself. Manorama Thangjam, a 32-year-old from Manipur, was raped and killed by Assam Rifles personnel in July 2004, prompting a sensational nude protest by a group of women outside the paramilitary unit's headquarters. They carried banners that read "Indian Army Rape Us" and "Indian Army Take Our Flesh." Massive demonstrations against her killing prompted the central government to lift the AFSPA in seven constituencies of Manipur.

Activists such as Loitangbam argue that such cases have given added impetus to insurgency. "If your sister is raped and you cannot go to the court, and the rapist would still go around as military with guns and uniforms, then obviously there is a very [high] likelihood of you joining the insurgency," Loitangbam told me. "Not because you think that you can defeat the Indian Army, but because that is an expression of your anger at the total injustice that has been committed."

But these arguments and protests have done little to change the prevailing system. The decision to lift the AFSPA from parts of Manipur in 2004 was an exceptional, even if limited, victory for civil activism. Committees have been formed frequently to investigate atrocities and even consider withdrawing the act, but their findings and suggestions have largely been ignored only for a fresh committee to be formed after the next atrocity. After the massacre in Oting, the government announced a committee chaired by the union home minister, Amit Shah, to consider the withdrawal of the AFSPA in Nagaland. The committee was given 45 days to submit its report, but people have little hope in it. On 30 December, the central government extended the notification of Nagaland as a disturbed area under the AFSPA for another six

months, as it has routinely and continuously been doing for years.

"My gut feeling at the moment is that they are just doing time-buying tactics," Loitangbam told me in December. "That's what they always do." Judging by past experience, he said, "a committee or a commission is usually a time-buying technique rather than a genuine effort to incrementally do away with such a draconian law."

In late 2004, the central government formed a committee under the judge BP Jeevan Reddy to review the use of the AFSPA across the north-eastern states. Its report, the following year, described the act as an "object of hate and an instrument of discrimination and highhandedness," and declared it "highly desirable and advisable to repeal this Act altogether." The committee also suggested amending the Unlawful Activities (Prevention) Act to

Loitangbam said that the AFSPA is a racist law. "Our theory from the very beginning is that AFSPA is not just a response to insurgency," he said.

delineate the powers of the armed forces in the absence of the AFSPA. In 2014, the home ministry was questioned in parliament on what action it had taken based on the committee's report. "The recommendations of the Committee are under consideration of the Government," it replied. The following year, the ministry officially rejected the report and its recommendations.

Loitangbam said that, in 2004, "when there was a big crisis in Manipur around Manorama, the committee that was set up was basically looking at the whole north-east." This time, there is already disappointment that the committee formed after the Oting killings "is going to look only at Nagaland." He pointed out that the committee is also working amid a strained peace process between the Indian government and insurgent Naga groups, "so what happens out of this committee is also going to have a direct bearing over this." The prevailing

political winds are not encouraging.

"The right-wing swing is quite high in Indian politics today," Loitangbam said. The Left has supported the withdrawal and repeal of the AFSPA in the past, but it is now in retreat. Some left-liberals "are trying to talk it out and trying to find a way," he added, but "we don't see any major, significant support from the rest of the country."

Sanjoy Hazarika, a veteran analyst of the north-east, wrote in a 2013 article that the AFSPA contains numerous clauses that discriminate against people in the north-eastern states and Jammu and Kashmir. "It creates three categories of citizenship," he argued, "of people who are: (1) Protected by the Act—personnel of the security forces; (2) Vulnerable to the Act—the general public in places where the Act is in force and (3) Unaffected by the Act—people living in parts of the country where the Act is not applied." Loitangbam told me in June that the AFSPA is a racist law. "Our theory from the very beginning is that AFSPA is not just a response to insurgency," he said. "If it is a response to insurgency, then AFSPA should be kept in the Naxalite area, the red zone, where the maximum insurgency activity, maximum attack on government is taking place." Insurgent violence had come down drastically in the north-eastern states in recent times, he said, yet "it is kept in the north-east from 1958 onwards, irrespective of whether there is insurgency or no insurgency."

Among my many conversations in Kohima in the wake of the Oting massacre was one with Theyie Kreditsu, a college lecturer in the city. "Times have changed," she told me. Thanks to technology and social media, "we Nagas are also more connected." Kreditsu said the fact that the massacre occurred during the Hornbill Festival, a major showcase of tribal identity and solidarity, created "a heightened sense of oneness" and "intensified our response to this atrocity." In this, the massacre was a landmark. "What Oting has managed to do," she explained, "is to make many of us Nagas, and by extension our government, realise that we need to take on this cause and see it through ourselves—not depend on others." ■



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Cruel Camera

The perils of Ayushmann Khurrana's woke cinema / **Film**



COURTESY GUY IN THE SKY PICTURES

/ **MANIK SHARMA**

ABOVE: In *Chandigarh Kare Aashiqui*, Ayushmann Khurrana plays a gym trainer with a trans girlfriend, played by Vani Kapoor. For all their gestures at progressive politics, Khurrana's "social-issue" films remain opportunistic and problematic.

In his latest film, *Chandigarh Kare Aashiqui*, Ayushmann Khurrana plays a muscular gym trainer with a trans girlfriend, played by Vani Kapoor. Soon after Kapoor's character comes out to him, Khurrana's character is asked by his friends about the couple's sex life: "*Kiya kahan se?*"—Where did you do it from? He replies, condescendingly, "*Jahan se sab karte hain*"—Where everyone does it from. The construction of this joke, which is also a highlight of the film's trailer, is undeniably demeaning—a play for laughs at the expense of the trans characters. The underlying transphobia is "corrected" by the end of the film, but that is meant to be a surprise. What the audience expects, and what is meant to pull

crowds to the cinema, is the cruel punchline and all that it contains.

In *Shubh Mangal Zyada Saavdhan*, released in 2020, Khurrana plays the openly gay Kartik. The romantic comedy revolves around the struggles of Kartik and his partner, played by Jitendra Kumar, to have the latter's family accept their love. The film was warmly received for its effort to bring a difficult subject into the mainstream and for mining entertainment from the ignorance of its straight characters. But while Khurrana was lauded for his performance on the screen, off it he fluffed his lines. "We are really proud that we are supporting the community," he said at a press conference to promote the movie. "Our country is very progressive as it has legalised same-sex marriages." The actor soon apologised on social

media—with an image of himself waving the rainbow LGBTQ flag—for conflating India’s recent decriminalisation of homosexual intercourse with the legalisation of gay marriage, a step that it has yet to take.

On 30 November, shortly before *Chandigarh Kare Aashiqui* hit theatres, Khurrana shared a magazine cover on his Instagram page that showed him with his nails painted black and his eyes sporting a good amount of kohl. “Game Changer,” the headline read, and the actor added a caption of his own: “Gender Fluid.” Again, Khurrana did not quite hit the mark. For one thing, it is reductionist, if not offensive, for someone who has never exhibited a gender-fluid identity to claim it on the basis of just nail-polish and eye make-up. For another, there is a view that LGBTQ characters should be played by actors from the LGBTQ community—one that Khurrana has never cared to address in any of his gestures at progressive gender politics.

Saviours are not new to Hindi cinema, especially in the form of romanticised masculine heroes. The last decade, however, has seen the dominance of two distinct types of them: the strident nationalist and the small-time social reformer. While Akshay Kumar has emerged as the emblem of the former, Khurrana has quietly styled himself as the latter. His typical character is a likeable beta male, at ease in the milieu of small-town India, confronting small-minded prejudices often painted as quaint rather than toxic. Khurrana himself is a character actor, earnest yet unremarkable enough to not let any film become entirely about him. Kumar is the exact opposite: even in films with a reasonably weighty cast alongside him, Kumar’s character is always the genius, the man with the plan, his patriotism second to none. So devoutly has Kumar essayed this role that he has also delivered renditions of it beyond the screen, as a glittering creative ally to the Bharatiya Janata Party and its Hindu nationalism. No similar allegation can be levelled at Khurrana for what he does off-screen, but his brand of “social-issue” cinema has proven to be no less opportunistic than Kumar’s jingoistic genre—and ultimately, also problematic.

In *Article 15*, from 2019, Khurrana plays Ayan Ranjan, an upper-caste police officer transported to the grim and moody setting of an Uttar Pradesh village. Inspired by the events in Badaun in 2014, when two lower-caste girls were reportedly gang-

raped and then killed, the film was a technical accomplishment and initially well received. But its flaws were soon revealed. A number of critics pointed out the implausible yet convenient caste-blindness of the protagonist, Ayan, who appears perpetually surprised by the existence of caste prejudices among his subordinates. In one scene, seemingly oblivious, he asks an assistant to tell him his own caste. “*Main kaun hun?*”—Who am I?—he asks. Many described this role as exemplifying the “Savarna saviour” complex, where the upper castes imagine themselves to be the heroes in tragic situations that they bear responsibility for as agents of caste oppression. The only characters shown to be actively casteist in the film were from the lower castes. In an interview with *Hindustan Times*, Khurrana said that “shooting

Saviours are not new to Hindi cinema. The last decade, however, has seen the dominance of two distinct types of them: the strident nationalist and the small-time social reformer. While Akshay Kumar has emerged as the emblem of the former, Ayushmann Khurrana has quietly styled himself as the latter.



for a film, which is about discrimination, is like getting a first-hand experience. For example, we were shooting in a Dalit village when we realised that it was on the periphery of the main village.” If this was a discovery for Khurrana, for millions it is a mundane reality of the caste-based oppression that exists across vast parts of the country.

Khurrana’s foray into social-issue films began as early as 2012, with the unheralded *Vicky Donor*. As a desperate Punjabi boy, Khurrana’s character chooses sperm donation as a shortcut to make some money only to eventually realise the gravity of his social contribution, in the process de-stigmatising the idea of artificial insemination. The actor’s next notable role, after an array of misfires, came in *Dum Laga ke Haisha*, a comment on obesity and body image. Though weakly written, the film was redeemed by its lead performances and

humour. In 2017, Khurrana played a husband suffering from erectile dysfunction in *Shubh Mangal Saavdhan*, a subtly coded critique of toxic masculinity. This was followed by *Badhaai Ho*, where he plays the son of an elderly couple who happen to conceive at an age that some might consider suspect. In *Bala*, from 2019, Khurrana plays a small-town man who is slowly balding and realises that real beauty lies within.

All these films cast Khurrana as the man afflicted or otherwise affected by the plot's core issue. While he is sometimes the victim himself, at other times he is blind to the suffering of the victim. Eventually, his characters come around to a sympathetic view or overturn the contempt of those around them, offering up a simplistic moral lesson by the end. While some amount of nuance can still be gleaned from these films, narratively they all resemble each other. They comprise a three-act skeleton: the first act is spent indulging in small-town eccentricities that establish the intellectual vacuum the story is set in; the second deriding

Bollywood, and especially its new generation of creators, has found the sweet spot of token wokeness, where endemic social problems are marked as mere small-town concerns, laughed over and subsequently resolved with cathartic abandon.



victims within said vacuum; and the third in presenting a hurried montage that bandages the wounds the film has spent the most time inflaming. On the surface it seems fairly harmless, a film that allows you the participative joy of “correcting” a social wrong by staying till the end to hear the final message.

Of course, Hindi cinema is not the first to exploit this tired template. In a recent piece for *The Atlantic*, the writer Megan Garber called out the American comedy hit *Shallow Hal*, from 2001, as a “fat joke.” The title character, a stout white man, begins to see people not as they actually appear but as they would seem if their inner beauty was reflected on the outside. This prompts Hal’s courtship of an obese woman, Rosemary, who appears slim to his eyes, and the plot culminates with him realising his mistake and renouncing his shallow ways. Garber writes that the film, “for all its lofty claims of charitable humanism, is not interested in what real life would be like for Rosemary. It is interested merely in mining her body for LOLs. ... *Shallow Hal* is bad because it treats Rosemary’s

body as comedy. But it is insidious because it treats her body as tragedy.” Khurrana’s films are similarly cynical, first stripping troubled characters of their humanity before restoring it just in time for the audience to walk out without any guilt over the laughs they have had at the character’s expense.

Because films are essentially vehicles for “what-if” scenarios, correcting the wrongs of reality comes fairly easy in the world of cinema. And because of this often escapist ideal, it is easier to let the audience clutch at an illusion of activism than to accuse them of complicity in societal wrongs. This is why *Article 15* has an upper-caste saviour incredibly, almost unbelievably, unaware of the caste system in a country that is built upon it. It is why a parade of conservative characters with no-filter tongues float across the frames of Khurrana’s films, there to put their ignorance at the service of humour but not villainy. The application of this device feeds the ills that the film appears to be opposing.

It is understandable why Akshay Kumar, with his animated support of the Hindu Right, gets far more criticism than Khurrana does for pandering to the lowest common denominator. In comparison, Khurrana is diminutive, rather sheepishly choosing characters at the margins of accepted identity, and he takes up the social over the political—without ever acknowledging the irrefutable link between the two. To which effect, Khurrana might act vigilant to the ostracisation of Dalits and transpeople in some contexts but not of Kashmiris under any circumstances. He has also remained quiet on incidents of violence against Dalits even after revelling in his role as their saviour in *Article 15*. He might still end up saying something about the xenophobic treatment of people from the north-east, but he is unlikely to say anything about the persecution of Muslim students in Indian varsities.

Bollywood, and especially its new generation of creators, has found the sweet spot of token wokeness, where endemic social problems are marked as mere small-town concerns, laughed over and subsequently resolved with cathartic abandon. Humour, if used tastefully, is not always a hindrance, but the fact that these films are meant as socially relevant cinema is galling—all the more so considering it is almost twenty-five years since Deepa Mehta’s *Fire* and Shekhar Kapoor’s *Bandit Queen* broached taboo subjects with a tenacity and care that has only become rarer in the intervening time. More often than not, for the industry to approach any difficult subject today, buckets of crass, giddy humour must first be unloaded at the expense of characters seeking agency and acceptance. ■

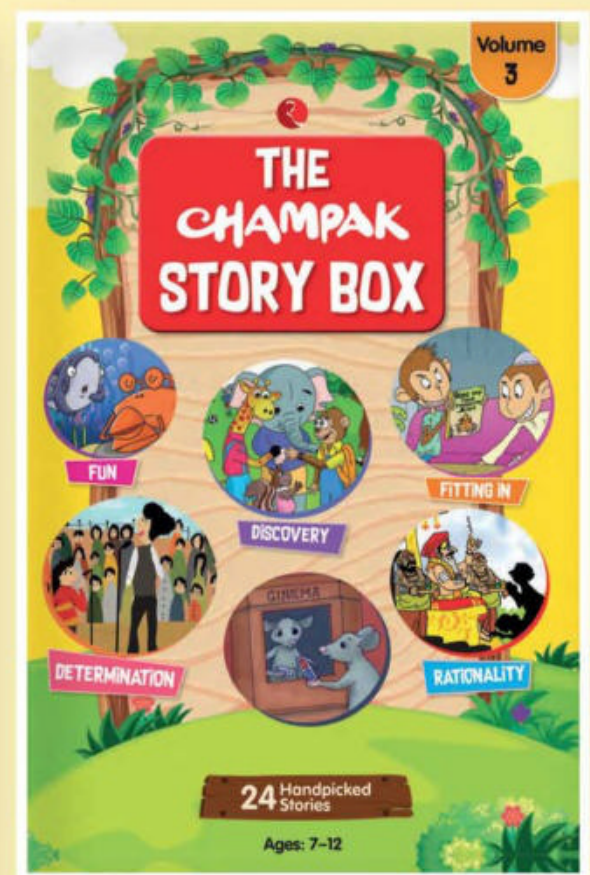
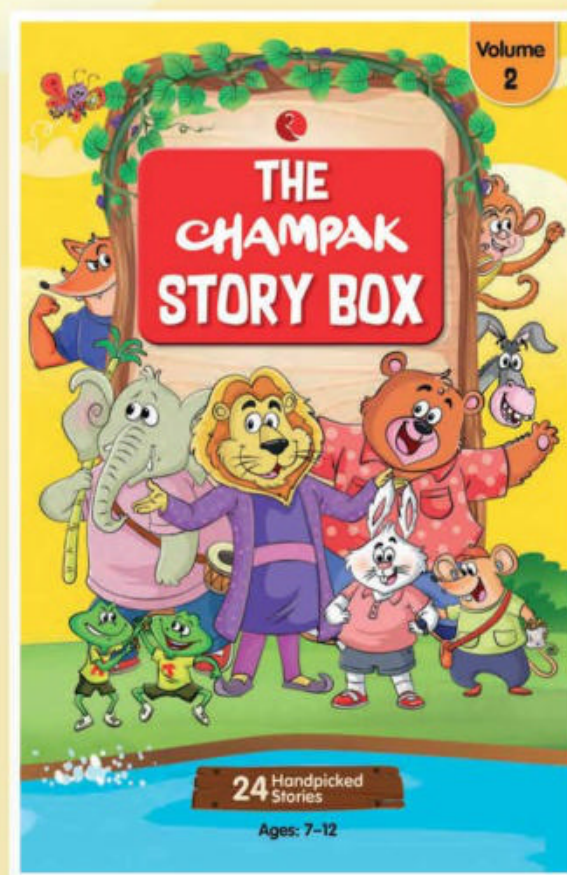
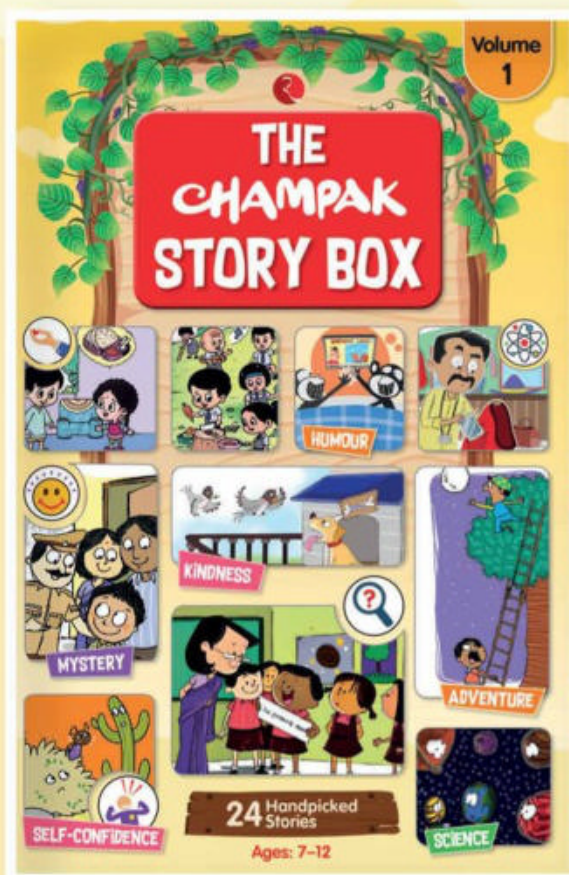
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Adityanath's reign of terror



COVER STORY / POLITICS

DHIRENDRA K JHA



**PRIEST OF
VIOLENCE**

PREVIOUS SPREAD:
Adityanath performs a ritual in Prayagraj in January 2020.

OPPOSITE PAGE:
On 12 March 2007, Adityanath famously broke down on the floor of the Lok Sabha, where he has represented Gorakhpur since 1998.

PARVEZ PARVAZ, a journalist and social activist, was passing by the Gorakhpur railway station when he noticed a big gathering near the statue of Maharana Pratap. It was the evening of 27 January 2007, and dusk had just fallen. The Bharatiya Janata Party's Gorakhpur MP, Adityanath, dressed in saffron robes, was delivering an incendiary speech to rousing cheers. Parvaz was aware of tensions pervading the city because of a clash during a recent Muharram procession, in which a Hindu boy was injured and later died. "Seeing the charged atmosphere, I safely ensconced myself within the crowd," he told me. The crowd was made up primarily of members of the Hindu Yuva Vahini, a youth militia Adityanath had founded five years earlier. Inconspicuous within the large gathering, Parvaz began to record the speech with a handheld camera he always carried with him.

"Ek Hindu ke khoon ke badle aane wale samay mein hum prashashan se FIR darj nahin karwaenge," Adityanath declared. *"Balki kam se kam das aise logon ki hatya usse karwaenge"*—In the future, if a Hindu's blood is shed, we will not get the administration to lodge an FIR; instead, we will ensure he kills at least ten in return. The crowd erupted in cheers.

As soon as Adityanath finished his speech, Parvaz quietly returned home, but the city began to detonate. "A hotel just in front of the venue of the meeting was looted and vandalised even before Adityanath could finish his speech," Sunil Singh told me. At the time, Singh was one of Adityanath's most trusted lieutenants, serving as the HYV's state president. He is one of the accused in the case. Singh had addressed the crowd just before Adityanath spoke. "The hotel was owned by a local Muslim," he told me. "From there, the rioting spread to other parts of Gorakhpur." At least two persons were killed and property worth crores of rupees was burnt.

The next day, despite injunctions from the district magistrate, Adityanath and his supporters marched towards Gorakhpur's troubled areas. He was arrested along with over a dozen other HYV leaders. The arrest was timed such that the militia could not carry out its threat of burning down *tazia* towers—which Muslims carry on their

Adityanath's eyes welled up and tears rolled down his face as he recounted the trauma he had suffered in jail. His voice quivered and cracked, occasionally becoming shrill with emotion.

shoulders as part of Muharram processions—on 29 January.

Adityanath remained in the Gorakhpur jail for several days. His bail was approved on 7 February. "I was also arrested along with Adityanath," Singh said. "While Adityanath remained in custody for 11 days, I was released after 66 days."

This would be the first and only occasion when the local administration would act swiftly and firmly against Adityanath and his henchmen. The Uttar Pradesh government, then under Mulayam Singh Yadav, usually chose to turn a blind eye to his activities. This single intervention may have been because Adityanath was threatening to turn a local crime into a full-blown communal war just before the state's assembly election due in April and May that year. Locals I spoke to argued that a battle along communal lines would have weakened the Samajwadi Party in the polls by forcing Muslims to cast their votes in favour of Yadav's main rival at the time, Mayawati of the Bahujan Samaj Party.

At any rate, the arrest and the state government's decision to withdraw security guards assigned to protect Adityanath unnerved the priest. On 12 March, he famously broke down on the floor of the Lok Sabha, where he had represented Gorakhpur since 1998. His eyes welled up and tears rolled down his face as he recounted the trauma he had suffered in jail. His voice quivered and cracked, occasionally becoming shrill with emotion. "I have renounced my life for my society, I have left my family, I have left my mother and father, but I am being made a criminal," he said. He spoke of a "political conspiracy" and threatened to quit if parliament would not offer him protection.

The strongman's crying and pleading for protection in public had a striking effect. His followers—particularly the upper-caste Thakurs, who see themselves as a martial, brave people—were shocked. They saw it as a let-down, a crumbling of his carefully cultivated image as a fearless, firebrand Hindu warrior. But, before long, they started rebuilding his image, arguing that he was a sensitive man full of emotion, even as many locals called him a coward capable only of spreading mob violence. Ten years later, he became the chief minister of Uttar Pradesh.

ADITYANATH'S REIGN OVER UTTAR PRADESH began with a mixture of confidence and anxiety. The Bharatiya Janata Party won an astounding victory in the 2017 state assembly election, taking the majority of the seats in the house. It had not projected a chief ministerial candidate during the campaign, choosing instead to ride on Prime Minister Narendra Modi's popularity. The BJP's choice to then elevate a hardline communal priest with a record of

instigating violence made international headlines. Adityanath has since become the most brazen face of Hindutva politics. A month after his election, in his first televised interview, he said, “There is nothing wrong in the idea of a Hindu Rashtra”—a Hindu nation. If there was any chance that the BJP was trying to overcome its violent past and promote a developmentalist politics in Modi’s first term in national power, Adityanath’s tenure has belied that hope.

In the past five years, Uttar Pradesh has been in the news for one horrifying story after another: from cow-related lynchings to extrajudicial killings to,

a school lunch went viral. In 2020, the journalist Siddique Kappan was locked away under the draconian Unlawful Activities (Prevention) Act for attempting to report on the gang rape and subsequent death of a Dalit woman at the hands of upper-caste men in Hathras. In 2021, a first-information report was lodged naming a hospital that put out a notice about running short of oxygen during the second wave of the COVID-19 pandemic.

The Uttar Pradesh police are now regularly dispatched to serve notice to journalists for reporting or tweeting things the government does not like.



more recently, a massive death toll from COVID-19 and the government’s efforts to hide the numbers. The Adityanath government, when it has not tried to cover up or spin these issues, has used state power to hound those who try to draw attention to them. In 2017, the doctor Kafeel Khan was thrown in jail and repeatedly persecuted for pointing out that an oxygen shortage at a Gorakhpur hospital, caused by government negligence, led to the death of over thirty infants and many adults. In 2019, the journalist Pawan Jaiswal was booked for involvement in a criminal conspiracy when a video he took of children being served rotis and salt as

Adityanath has empowered the state police to act with impunity against protesters and journalists while, more often than not, allowing it to turn a blind eye to upper-caste Hindu vigilantism. All of these practices are supposed to somehow reflect the tough measures he has taken to maintain law and order.

As the 2022 assembly election in Uttar Pradesh approaches, Adityanath’s government has unleashed a blitzkrieg of advertisements highlighting its supposed achievements as a counter to all the negative press. The priest’s face, along with Modi’s, has almost daily adorned the front pages of major

newspapers, including those largely read only outside the state. Between April 2020 and March 2021, the Uttar Pradesh government spent ₹160 crore on television advertisements in TV channels. It is a concerted effort to whitewash his image and to deflect attention from the terror and violence the state has witnessed during his term.

Adityanath, like other Hindu nationalists, has shown an obsession with rechristening places with names he considers offensive. As the member of parliament for Gorakhpur, he changed the names of several areas in the city: Alinagar to Aryanagar, Miyan Road to Maya Road and Urdu Bazar to Hindi Bazar. As the chief minister, he has taken this obsession to other parts of the state. Faizabad district became Ayodhya district, and Allahabad was renamed Prayagraj. In November 2021, while laying the foundation stone for a university in Azamgarh, he said, “The university, whose foundation stone has been laid today, will make Azamgarh truly Aryamgarh. There should be no doubt about it.”

Adityanath is often pictured with cows, his dog, monkeys and other animals to showcase an ostensibly softer side to his personality. However, the most violent manifestations of his anti-Muslim sentiments have to do with cow protection. One of his first initiatives as chief minister was to order the closure of all illegal slaughterhouses in the state and launch a massive police crackdown against them. As most of Uttar Pradesh’s slaughterhouses had always been operating without proper licenses, this resulted in a massive loss of livelihoods for butchers and meat-unit owners, a majority of them Muslims. He ordered the creation of “cow-protection committees” in each district, to be headed by the district magistrate and the district police chief and backed by two private “cow-loving persons.” On paper, the move was aimed at ensuring the proper upkeep of cows, but in practice it gave a fillip to cow vigilantism by Hindutva groups. Many instances of Muslims accused of cow-smuggling or cow slaughter have ended tragically.

Adityanath’s blatantly communal approach is hardly hidden; it dominates



his public speeches. While campaigning for the BJP during the Delhi assembly election in 2020, he attacked the Aam Aadmi Party leader Arvind Kejriwal for “supporting the Shaheen Bagh protesters and feeding them biryani.” He was referring to a peaceful sit-in protest against the Citizenship (Amendment) Act, which discriminates against Muslims. Threatening the protesters, he said, “People who do not listen to *boli*”—words—“will listen to police *goli*”—bullets.

The ruthless suppression of anti-CAA protests in Uttar Pradesh was the most obvious evidence of the authoritarian regime that has emerged under Adityanath. Nowhere in the country was the crackdown as cruel and openly communal as in Uttar Pradesh. His government indiscriminately slapped fines on protesters for alleged destruction of public property, without any judicial finding required to prove their crime. He ordered posters to be put on Lucknow walls with the

names and photos of protesters. When none of these efforts seemed to work as deterrence, there were police raids and assaults.

In November 2020, he became the first chief minister to bring in an ordinance to control incidents of “love jihad”—described by Hindu communalists as a plot by Muslim men to lure young Hindu women into marriage and conversion to Islam. The Uttar Pradesh Prohibition of Unlawful Conversion Act, 2021 stipulates imprisonment of



ABOVE: People sit outside a sealed slaughterhouse in Allahabad. One of Adityanath's first initiatives as chief minister was to order the closure of all illegal slaughterhouses in the state and launch a massive police crackdown against them.

between one and ten years and a fine of between fifteen thousand to fifty thousand rupees for marriages deemed suspect. The issue of “love jihad” had been on Adityanath's agenda long before he became the chief minister—the HYV actively used it to target Muslims in Gorakhpur and surrounding areas.

The Uttar Pradesh police, armed with the new law, began a crackdown against inter-faith marriages in several parts of the state. In one of the most troubling instances, a 22-year-old woman from Moradabad suffered a miscarriage after she was sent to a shelter home following her husband's arrest under the law. Later, the husband was released as the police could not find evidence to support allegations that the woman had been forcibly converted.

A December 2020 letter to Adityanath by a group of 104 retired bureaucrats referred to the police's brutality in the Moradabad case. It stated that “the entire police force of Uttar Pradesh needs to be trained without delay in respecting the rights of all citizens; and the politicians of UP, including yourself, need to re-educate yourselves about the provisions of the Constitution which you and other lawmakers have sworn to uphold.”

Such objections aside, Adityanath has derived massive political profits from such measures. They represent authoritarianism in the eyes of his opponents, but to the section of Hindus that constitutes the main support base of the BJP and its parent, the Rashtriya Swayamsevak Sangh, they are evidence of his hatred for Muslims—the best possible qualification for becoming the poster boy for the Hindutva agenda of the combined Sangh Parivar. In real terms, however, Adityanath has not offered any tangible benefits even to his Hindu constituents in Uttar Pradesh, and yet his attempts to make Muslims' lives miserable have delighted Hindu communalists in the state as well as the rest of the country.

A large part of his success owes to projecting priestly allure. He always wears the ochre robes of his order, and his head is always bare. He has convinced a significant section of devout Hindus that he is someone who can lead an apolitical life—even as he occupies the highest political office in the state—and wishes to restore or reinforce Hindu traditions. In the Hindu public's imagination, he is first and foremost the head of a monastery. The point is often made that, even after becoming the chief minister, he has followed an ascetic lifestyle: he gets up very early, practises yoga and then, after elaborate worship, gets down to his worldly duties. It is also said that a visit to a cowshed is almost a daily part of his routine. Yet, contrary to popular perception, there was a time in his life when he did not seem destined for the monastic life.

In real terms, however, Adityanath has not offered any tangible benefits even to his Hindu constituents in Uttar Pradesh, and yet his attempts to make Muslims' lives miserable have delighted Hindu communalists in the state as well as the rest of the country.

With a carefulness verging on pedantry, Adityanath has styled himself as a combination of Hindu monk and hardcore Hindutva activist. His signals and declarations of communal antipathy are so open and frequent that even Narendra Modi and Amit Shah, his closest lieutenant, might appear moderate in comparison. After a point, once he found firm ground to stand on as chief minister, the forcefulness of his manner and his policies combined to fuel debate as to whether he may eventually emerge as a bigger Hindutva icon than Modi himself.

To be sure, Modi is not reputed to tolerate any counterparts in his party with the popularity or strength of personality to outshine him. He himself projects an image of an ascetic politician devoted to the Hindutva cause. Many believe that, in the battle of public perceptions, Modi faces a challenge from Adityanath, who has the advantage of being an initiated yogi—an ascetic for whom saffron is not just the colour of his political banner, as it might be for other BJP leaders, but also of his sectarian identity.

AJAY MOHAN SINGH BISHT was born on 5 June 1972 to a Thakur family in Masalgaon, a village in the Uttarkashi district of what is now Uttarakhand. He was the fifth of seven children born to Anand Singh Bisht, a junior official in the forest department, and Savitri Devi, a homemaker. Anand Singh's job involved frequent transfers, so during the latter part of his career, a few years after Ajay's birth, Savitri Devi and the children started living mostly in the family's native village—Panchur, in the Pauri-Garhwal district—while he visited them on holidays.

Whatever evidence there is about Ajay's early life suggests he had a pretty ordinary childhood. His parents ensured that he remained in school, and he studied to the eighth standard in the government primary school at Thangar. As there was no secondary school in the local gram panchayat, he moved to Tehri district, where his father was

OPPOSITE PAGE: Avaidyanath, like his predecessor and guru Digvijay Nath, presided over a significant phase of the Ram Janmabhoomi movement, which has been vital to the growth of Hindu nationalism in the country.

posted. He completed his schooling from a government school at Gaja. He was then sent to Rishikesh, where he lived with an elder brother. He enrolled at Shri Bharat Mandir Inter College and opted to study physics, chemistry and mathematics, along with English and Hindi.

In 1989, Ajay joined the PG Government College in Kotdwar to pursue a degree in science. A recent hagiography written by Shantanu Gupta, an author who openly bats for the BJP and Hindu nationalism, claims that Ajay was always interested in politics and that, in many ways, the spiritual life chose him. It purports to tell the story of the “upbringing of a young boy Ajay Singh Bisht, in the hinterlands of Uttarakhand, who grew up among cows, farms, mountains and rivers to later become a Mahant, a Parliamentarian and the Chief Minister.”

In college, Ajay became a member of the Akhil Bharatiya Vidyarthi Parishad, the student wing of the RSS. In his final year, in 1992, he contested a student-union election for the post of secretary. He was an independent candidate and lost miserably. “He was a simple student and was hardly active in student politics,” Arun Tiwari, who won that election and is now a member of the Samajwadi Party, told me. “There were nine candidates in the fray that year for the position of secretary. I don’t remember the exact number of votes that he received in the election. The number must have been very insignificant because he came sixth in the tally.”

It must have been a disorienting moment for Ajay. Just a short while after the crushing defeat, his life would change dramatically. Ajay graduated and shifted to Rishikesh, where he enrolled at Pandit Lalit Mohan Sharma PG College for a master’s degree in science. But he seems to have lost his focus.

“While he was in MSc first year,” Shantanu Gupta writes, “he started visiting Gorakhpur and meeting Mahant Avaidyanath”—then the head of the Gorakhnath Math. “After a couple of meetings Ajay was convinced about joining

“I was surprised when I heard he became a sadhu because at the time he was definitely not a person with any spiritual tendencies.” This person recalled that even when the Ram Mandir movement peaked, in 1992, “he was nowhere in sight.”

Mahant Avaidyanath at the Gorakhnath Mutt as a full time disciple.” Several of Ajay’s former collegemates that I spoke to, however, detected no inclination towards a monastic life at the time. Arun Tiwari, instead, saw Ajay drifting away from studies as he was bent on “finding a smooth life for himself.” To achieve this, Tiwari said, “he followed Avaidyanath, who was his distant uncle.”

“Although he was a member of the ABVP, he was largely disaffected and was unaware of the events of the time,” one of Ajay’s fellow students at Kotdwar told me, on condition of anonymity. “I was surprised when I heard he became a sadhu because at the time he was definitely not a person with any spiritual tendencies.” This person recalled that even when the Ram Mandir movement peaked, in 1992, “he was nowhere in sight. As far as I remember, he did not go to Ayodhya in December that year. It was only in 1993 that he suddenly drifted towards Gorakhpur.”

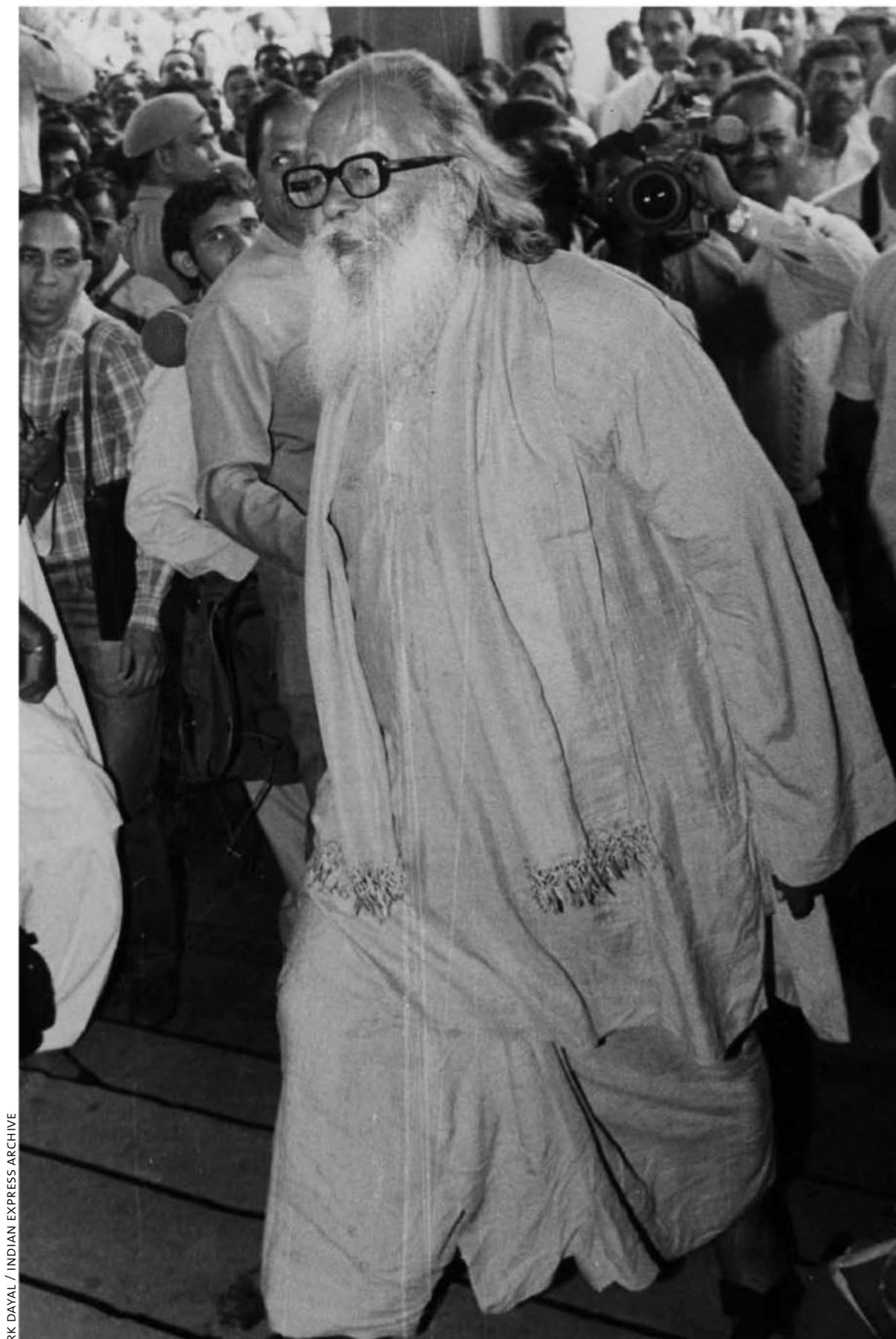
It is unclear what motivated Ajay to become a sadhu. “In 1993, he did go to Delhi in search of a job,” the collegemate said. “Though he failed in his effort, he did meet Avaidyanath, who was admitted to a Delhi hospital for some treatment. He served Avaidyanath for some time as an attendant and came back to Rishikesh after the mahant was discharged from the hospital. A few months later, he quietly shifted to Gorakhpur.”

This is presented with some variations in Gupta’s biography: Ajay was not a stranger to Avaidyanath when he met him in a Delhi hospital, he had earlier developed a penchant for the Ram Mandir movement and had even had a brief meeting with the Gorakhnath mahant, who told him that “he was a born yogi and was destined to come there one day.” The provenance of this account of Ajay’s journey to Gorakhpur is uncertain; Gupta gives no reference to any interview or document to substantiate his claims. But even Gupta writes that Ajay’s parents were shocked when they “found out from the newspaper about his *sanyas*.” They had assumed he had gone to Gorakhpur looking for employment opportunities.

In any event, Ajay left Rishikesh in November 1993 without disclosing much to anyone and arrived in Gorakhpur a despondent young man. He was a 21-year-old, who had shown no spiritual bent to his collegemates until then and was cherishing vague hopes of a career in the temple.

On 15 February the following year, Avaidyanath anointed him as a sadhu, named him Adityanath and declared him his heir.

IN THE WINTER OF 2011, I visited the Gorakhnath temple to do research for a book on Ayodhya I was co-writing with a colleague. I was waiting to in-



RK DAYAL / INDIAN EXPRESS ARCHIVE

interview Avidyanath when I noticed a slight and serious-looking man nearby. It was Adityanath, sitting on a wooden chair in the vestibule of the temple. He seemed occupied in reading some loose sheets of paper on his desk. To me, he hardly seemed old enough or strong enough to fit the image of a Hindutva firebrand. A middle-aged man who stood attentively a few feet away from him appeared taller and stronger in contrast. I placed my request to see Avidyanath with Adityanath and tried to talk a little about his outfit, the HYV,

but he said nothing. I did not persist, as my prime object was to interview his guru. The middle-aged man eventually took me to Avidyanath's first-floor apartment in a two-storey building adjacent to the temple.

The Gorakhnath temple derives its name from Gorakshanath, an eleventh-century mystic who travelled widely and is said to have authored a number of texts that constitute a framework for the Nath monastic order. The Gorakhnath Math has played a central role in right-wing politics

since the British Raj, and Adityanath has inherited its legacy. Avidyanath, and his predecessor and guru Digvijay Nath, presided over significant phases of the Ram Janmabhoomi movement, which has been vital to the growth of Hindu nationalism in the country. The beginning of the construction of the Ram Mandir in Ayodhya, under Adityanath's aegis, marks the culmination of a violent and destructive movement spanning nearly a century and overseen by three consecutive mahants.

Digvijay Nath headed the Gorakhnath temple from 1935 to 1969 and was one of the twentieth century's most astute sadhus. He was responsible for transforming the monastery from what was once a religious place venerated by Hindus and Muslims alike, and one that mainly drew its followers from the lower castes, into a centre of Hindutva politics controlled by Thakurs. Digvijay joined the Hindu Mahasabha in 1937, when its president was VD Savarkar—now an icon of the Sangh Parivar. Digvijay had urged Hindu militants to kill MK Gandhi just a few days before the latter was assassinated, and as a result he spent nine months in jail. After he was promoted to general secretary of the Hindu Mahasabha, he promised that, if the party came to power, Muslims would be subjected to a loyalty test. "It would deprive the Muslims of the right to vote for five to 10 years, the time that it would take for them to convince the government that their interests and sentiments are pro-Indian," *The Statesman* reported him saying in June 1950.

Though a leader of the Hindu Mahasabha, Digvijay was always willing to look beyond his party. He collaborated with the RSS and its subordinate outfits, mostly by lending them patronage, to achieve his objectives. In 1949, he presided over the operation to surreptitiously install an idol of Ram in the Babri Masjid in Ayodhya, setting in motion the Ram Janmabhoomi movement.

Avidyanath took over as mahant after Digvijay died, in 1969. He contested elections on Hindu Mahasabha tickets until 1989, when he became the face of the Ram Janmabhoomi movement and played a pivotal role in the escalation of saffron politics.

His speech at the 1989 Dharma Sansad, a meeting of sadhus organised by the Vishwa Hindu Parishad at the Kumbh Mela in Allahabad, laid the foundation for a movement that made the demolition of the Babri Masjid almost imminent. *The Statesman* reported on 1 February 1989 that Avidyanath pointed out “that the Quran prohibited Muslims from constructing mosques on the holy places of other religions.” It quoted him as saying, “And telling us to construct the temple in another place to avoid conflict is like telling Lord Rama to wed another Sita to avoid war with Ravana.”

Things came to a head in 1992, with the destruction of the Babri Masjid. In the Liberhan commission’s report on the event, Avidyanath’s name figured prominently in the list of people found culpable for leading the country to the brink of communal disaster.

Avidyanath had joined the BJP by this time—he was elected the MP for Gorakhpur in 1991, and again in 1996. Though he fought the elections for the post on a BJP ticket, he retained a degree of autonomy—a practice that Adityanath has maintained. Avidyanath quit electoral politics soon after, making room for his protégé. In 1998, Adityanath became the youngest MP in the Lok Sabha.

Avidyanath died in 2014, at the age of 95. Modi, who had become prime minister that year, said that he would “be remembered for his patriotic zeal and his determined efforts to serve society.”

Finally, Adityanath took on the mantle of mahant. His training under Avidyanath had been robust and he was already a four-time MP for Gorakhpur. He had started the HYV, in 2002, which had helped him develop his own militant power base over the past decade. While the group bolstered his image as a Hindutva firebrand across the state, Gorakhpur acted as his seat of power, from which he exercised hegemonic control over eastern Uttar Pradesh.

AFTER JOINING THE MATH, Adityanath spent a formative period mostly inside the institution, tending to cows, attending to his guru and getting entrenched in his new world. In the summer of 1996, Adityanath shed his tentativeness and appeared in public, using Maharana Pratap Inter College—an institution run by the Gorakhnath Math—to mark a fresh beginning. Students of the college had gotten into a quarrel with shopkeepers at the city’s Golghar market, and Adityanath came out strongly in their support.

“That was the first time I saw Adityanath,” Sunil Singh told me. “He appeared confident and determined to take up the cause of students. I felt really

The beginning of the construction of the Ram Mandir in Ayodhya, under Adityanath’s aegis, marks the culmination of a violent and destructive movement spanning nearly a century and overseen by three consecutive mahants.

impressed by him.” Singh, an alumnus of the college, visited the campus to express his solidarity.

“The quarrel began on a trivial issue but it spiralled into a major confrontation between the two sides, resulting in the police chasing the students to their hostel,” Singh recounted. “When the tension was high, Adityanath entered the college hostel. His presence galvanised the students. They rallied behind him, and the police was forced to back off.”

Singh and his friends found their idol in Adityanath. The next morning, along with his friends Ashish Singh Shrinath, Amit Singh, Kumar Gaurav and Mayank Tripathi, Singh reached the temple to see Adityanath. Singh recalled that they found him “supervising some construction work in the *gaushala*”—cow shelter—“attached to the temple. On seeing us, he left his work and came over. He asked our names and castes and took us to his room in the *santashram*”—the lodgings for monks. “We had a long discussion about the political atmosphere of Gorakhpur and problems being faced by Thakurs.” Singh is also a Thakur.

Singh and his fellows started meeting daily, going out together to enrol more young people to their cause. “We also cleaned a patch of land near the *gaushala* and started playing badminton there,” Singh said. One thing that particularly struck him about Adityanath “was the special interest he was taking in understanding the condition of Thakurs in Gorakhpur.”

Adityanath had started placing himself right in the centre of the region’s tense caste dynamics. “It sounds like caste-based discrimination, but it goes further than that,” Manoj Kumar, a senior journalist based in Gorakhpur, told me. “That was the time when the caste-based rivalries of two gangsters—Harishankar Tiwari, a Brahmin, and Virendra Pratap Shahi, a Thakur—ruled the roost in Gorakhpur. Even the Gorakshapeeth Math, Adityanath’s main source of strength, was known as a Thakur math.”

To become the supreme leader of a region of Thakur dominance, Adityanath needed to



SUMAN ACHARYA / ALAMY

ABOVE: The Gorakhnath Math has played a central role in right-wing politics since the British Raj, and Adityanath has inherited its legacy.



become the supreme Thakur leader first. In the 1996 Lok Sabha election, Avaidyanath had faced a serious challenge for the Gorakhpur seat from Virendra Pratap Shahi, who was contesting on a Samajwadi Party ticket and came second. The murder of Shahi, in 1997, by an emerging Brahmin gangster, Sri Prakash Shukla, appeared to be a setback to Thakur dominance in Gorakhpur, but it also offered Adityanath an opportunity to fill the void.

In the next Lok Sabha election, in 1998, Avaidyanath decided not to

contest and let his heir become the BJP candidate. Though he won against the Samajwadi Party's candidate—Jamuna Prasad Nishad, a member of the Other Backward Classes—the margin of victory came down sharply from that in 1996. The Samajwadi Party, with its support base among Muslims and the OBCs, seemed to be fast closing the gap to the BJP, leaving Adityanath with an uncertain political fate.

“It was against this backdrop that an overtly communal anti-Muslim politics began in Gorakhpur and neighbouring areas,” Sunil Singh said, rattling off

a list of communally charged attacks under Adityanath's leadership. “I was with him in almost all the incidents. There is hardly any case in which I am not an accused along with him.”

The most infamous of these incidents was the Panchrukha case of 1999. “We were in Maharajganj when the news came that someone had removed a peepal sapling that had been planted by some local Hindus,” Singh said. “Those who removed it claimed that the spot where it had been planted was part of a Muslim graveyard. Adityanath immediately announced that he would

rush straight away to Panchrukha to plant the peepal sapling on the same spot again.” The announcement alerted the local administration, which swung into action. “We quickly reached the village, but, before we could complete our operation, the police came in and chased us out.”

Adityanath’s convoy sped out of the village, but was forced to a halt by Samajwadi Party workers under the leadership of Talat Aziz who had gathered on the village’s main road to court arrest. They were demonstrating against the deteriorating law-and-order situation under the state’s ruling BJP government. The confrontation quickly escalated from angry shouting to gunshots. Aziz’s security guard, a head constable named Satyaprakash Yadav, took a bullet in his face and fell, bleeding pro-

fusely. He later died. Scared, Aziz and other Samajwadi Party workers fled into the surrounding fields, leaving the road clear for Adityanath and his men to drive away.

Three hours later, the Maharajganj police registered an FIR naming Adityanath and 24 others as the accused in a long list of crimes, including attempt to murder, rioting, carrying deadly weapons, defiling a place of worship, trespassing on a Muslim graveyard and promoting enmity between religious groups.

The Panchrukha incident turned Adityanath into a sensational figure in Gorakhpur, but it did not reverse the growing local support for the Samajwadi Party. In the Lok Sabha election held a few months later, in 1999, Adityanath’s victory margin

over Nishad shrank further, to just seven thousand votes.

This scenario, which was aggravated further by the BJP’s defeat in Uttar Pradesh’s 2002 assembly election, appears to have inspired Adityanath to create a personal Hindu militia. The opportunity came within a week of the declaration of the election results. On 27 February 2002, 59 people died after a coach of the Sabarmati Express caught fire just outside the railway station at Godhra, a small town in Gujarat. The incident sparked one of the worst outbursts of anti-Muslim violence in recent Indian history, with the bloodshed especially concentrated in Gujarat. As the country reeled from images of what was its first televised pogrom—private news television had



boomed in the last decade—Adityanath took the first steps to organising the HYV.

Within a year of the formation of the HYV, Gorakhpur and its neighbouring districts witnessed at least six major sectarian violence, apart from innumerable minor ones. The major ones took place at Mohan Mundera in Kushinagar district, Nathua in Gorakhpur district and the city's Turkmanpur neighbourhood in June; Narkataha in Mahara-jganj district in August; and Bhedahi in Mahara-jganj and Dhanghata in Sant Kabir Nagar district in September. Though registered as a cultural organisation, the group was unabashedly aggressive. Its preferred tactic was to frame every argument and altercation between a Hindu and a Muslim in religious terms and turn it into a full-blown communal riot. Communal disturbances continued unabated in the following years as the local administration remained ineffective. "There have been at least twenty-two major riots in Gorakhpur and the neighbouring districts till Adityanath's

As the country reeled from images of what was its first televised pogrom, Adityanath took the first steps to organising the Hindu Yuva Vahini. Within a year of the formation of the HYV, Gorakhpur and its neighbouring districts witnessed at least six major sectarian riots.

arrest in 2007," Manoj Kumar, who chronicled the sectarian riots in the region, told me.

The HYV's incendiary campaigns paid rich electoral dividends for Adityanath. In the 2004 Lok Sabha election, he won the Gorakhpur seat even as the BJP was roundly defeated countrywide. His victory margin jumped exponentially, to over a hundred and forty thousand votes.

The shock of 2007—when he went to jail and later wept in the Lok Sabha—initially appeared to have made Adityanath politically wiser and more temperate. For a period, he generally refrained from personally leading mobs and participating in attacks on Muslims in the manner he used to do earlier. Adityanath stuck to making inflammatory speeches and participating in token actions alone, while his Hindu militia did the rest of the job. With this strategy, he was voted back into the Lok Sabha with an even bigger margin in 2009.

When Narendra Modi began his campaign for the 2014 general election, Adityanath and his militia—with its deep organisational presence in most of eastern Uttar Pradesh—played a pivotal role. After the BJP's victory and Modi's elevation, the HYV launched a campaign to force the BJP to project Adityanath as its chief ministerial candidate for the state's 2017 assembly election. But he could not have his way, and the BJP entered the election without any chosen figure for the post. On the eve of the polls, Adityanath faced a minor setback. The growing political ambitions of HYV leaders led to a split in the militia when some of its members, including Sunil Singh, were not chosen as electoral candidates by the BJP. The rebels fielded their own candidates in over a dozen seats but lost.

By now, Adityanath was the most polarising figure in Uttar Pradesh.

THE WEEK PRECEDING the BJP's decision on who it would install as the next chief minister was filled with nervous activity. Since 11 March, the day the votes were counted, Lucknow had reverberated with rumours and controversy as intense negotiations seemed underway within the party. Manoj Sinha was considered the frontrunner for the post. When the crown fell on Adityanath's head, even close observers were surprised.

But just as Adityanath reached the height of his success, his past caught up with him. The Allahabad High Court, acting on a petition filed by Parvez Parvaz, had passed an order on 10 March 2017—a day before the counting of votes—asking the state government to apprise it of the status of the 2007 case involving Adityanath's inflammatory speech in Gorakhpur. As soon as he became the chief minister, he found on his table a request from the state police seeking sanction to prosecute him in the case.

Parvaz had pursued the case for a decade. "In the beginning, I felt it would end in catastrophe," Parvaz told me, in 2017. "I had to sell whatever property I had so that I could pursue the court battle, which seemed unending. But I had concrete evidence against Adityanath, and that sustained me even in the depths of despair."

In the beginning, the police refused to file an FIR on the basis of the evidence Parvaz had gathered. He moved court. It had been only after the high court's intervention that he could file an FIR at the Cantonment police station in Gorakhpur, in September 2008. Later, the Crime Branch-Criminal Investigation Department enquired into the allegations and found enough merit in them to prosecute Adityanath and four of his accomplices. One of the charges suggested by the CB-CID was under Section 153A of the Indian Penal

OPPOSITE PAGE:
A makeshift temple for the idol of Ram Lalla erected at the site of the demolished Babri Masjid in 1992.

RIGHT: Muzaffarnagar saw one of the most brutal police crackdowns on protestors demonstrating against the Citizenship (Amendment) Act in 2019.

Code—“promoting enmity between different groups”—which required government sanction for taking cognisance of the offence. On 10 July 2015, therefore, the crime branch of the state police sought permission from the home department of Uttar Pradesh for the prosecution of Adityanath and the others. The request remained pending for almost two years as Akhilesh Yadav, the chief minister until the Samajwadi Party was routed in the 2017 polls, continued his father Mulayam Singh Yadav’s policy of appeasement towards Adityanath.

Now that he was the chief minister, it was a great deal harder for Adityanath to evade a wider public scrutiny of his actions. The months that followed made it obvious that self-preservation still remained his main guiding motive—he managed to dispose of his own case without trial.

On 11 May 2017, the state government informed the high court via an affidavit filed by the chief secretary, Rahul Bhatnagar, that it had refused sanction for the prosecution of Adityanath and others named in the FIR. Based on this, the Allahabad High Court rejected Parvaz’s petition on 22 February 2018. Along with his co-petitioner, Asad Hayat, he now moved the Supreme Court.

On 4 June 2018, before the Supreme Court could deliberate on the appeal, Gorakhpur’s Rajghat police station registered an FIR in which Parvaz and his friend Jumman Baba were accused of rape. According to Manoj Kumar, who reported extensively on the case, the accusation did not hold water. Kumar argued that the station officer of Rajghat, Ashutosh Kumar Singh, who conducted an enquiry into the alleged incident, had himself found the case to be full of holes. “In his report, he pointed out that the spot where the crime allegedly happened was a crowded place and that, even at the time of the occurrence of the crime, the area was bustling with people,” Kumar told me. “He also mentioned that the locations of the two accused at the time when the rape allegedly happened were at places that were far away from the spot of occurrence of the crime. The SO, therefore, recommended in his report that the FIR be expunged.”

After the SO submitted his report, Parvaz asked in a Facebook post who was trying to frame him in a false case at a time when he was engaged in a legal battle against “Purvanchal’s communalists.”

Later that month, the SO’s report was rejected by Gorakhpur’s senior superintendent of police, Shalabh Mathur, who ordered a fresh investigation into the case. Parvez was arrested on 25 September on the basis of this second investigation. “He and his friend were tried in the district court, which sentenced them to life imprisonment in July 2020,” Kumar said.

Appeals are pending in both the cases—before the Supreme Court in the hate-speech case against Adityanath, and before the Allahabad High Court in the rape case against Parvaz.

I sent multiple interview requests to Adityanath but did not receive a response.

ADITYANATH HAS TRIED to use violence as a political solution to most problems he has encountered as chief minister. Months after assuming office, as criticism of the deteriorating law-and-order situation in the state was becoming more shrill, he made it plain that his administration would not be bound by constitutional checks. In a television interview, he declared, “*Agar aparadh karenge, toh thok diye jaenge*”—If you commit a crime, you will be bumped off.

What followed was a spree of police “encounters” across the state—a whopping 432 of them in the very first month of the exercise. Over a year



later, on August 2018, a sting operation by India Today TV pointed to an ugly truth about some of these encounters. The exposé suggested that some police officials were implicating innocent civilians in false cases and shooting them down in staged confrontations in exchange for bribes and promotions.

This created a tremendous stir, but Adityanath remained unperturbed. The state administration was quick to order the suspension of three sub-inspectors who were caught on hidden camera offering their services. The government also ordered an inquiry against those who spilled the beans. But there was no effort to further probe what the compromised cops had revealed, or to investigate possible “excesses” in other encounters.

What happened instead was further intensification of these encounters—unofficially dubbed “Operation Langda,” as most of those injured in the encounters were shot in their legs. Months after the exposé, Adityanath went to the extent of highlighting this violence as a major accomplishment of his government. Ahead of Republic Day in 2019, the state’s chief secretary asked district magistrates to publicise the slogan “Ab Tak 3,000”—a reference to the number

of police encounters that had taken place since Adityanath took over.

Ayyub Qureshi, one of the victims of “Operation Langda,” had to suffer this kind of “encounter” twice. He was shot in his right leg the first time, and in his left the second. A resident of Khatauli, in Muzaffarnagar district, Qureshi is not sure the police will not “encounter” him a third time. “Previously, there was no case against me, and I was quietly running my dairy business,” he told me.

“The police picked me up on charges of killing of a cow, which had happened somewhere in Meerut,” Qureshi said. “They took me to a desolate place where they knocked me down and shot me in my left leg below the knee from point-blank range.”



“Trouble began around the middle of 2019, when my tenant brought a buffalo calf and kept it in my dairy farm. He promised that he would take it away the next day. I permitted him. In the night, a police team raided my dairy, and, declaring that I had stolen the calf, they seized it and arrested me. I pleaded that the calf was brought by my tenant, but they did not listen to me. I could not prove it because my tenant had run away.”

A case of theft and cruelty against animals was filed against him, and his life took a horrific turn. The police started regular visits to his dairy farm to take him to the police station for questioning on cases he said he could not even have known of. “Once they took away my buffalos and returned them only after I paid ₹1.5 lakh,” Qureshi said. “As their harassment increased, I started to stay away most of the time. This affected my dairy

“Police came in groups of nearly two hundred men and began vandalising properties of people,” Intasar said. “They entered my house after breaking open the door and ransacked everything: my car, windows, furniture, kitchen. They destroyed everything they could lay their hands on.”

business. Despite it being the only source of income for my family, I had to wind it up.”

By the end of 2019, as the number encounter cases in Uttar Pradesh surged, Qureshi’s mother, not knowing how to protect her son, wrote a letter seeking justice and sent it to everyone she could think of. This included the president, the chairman of the National Human Rights Commission, Modi, Adityanath and senior police officers of the state and the district. “Because

of police harassment, Ayyub has lost his livelihood,” the letter read. “The entire family and Ayyub’s children are on the brink of starvation, and the police regularly visit my locality and often announce that that this time they would encounter Ayyub before taking him to jail.”

It was to no avail. “Instead of taking any corrective measure, the police picked me up on 5 October 2020 on charges of killing of a cow, which had happened somewhere in Meerut,”





ATULYADAV / PTI

Qureshi said. “They took me to a desolate place where they knocked me down and shot me in my left leg below the knee from point-blank range.” He got bail about a month later, but on 1 March 2021, before the first wound had even healed, he was arrested again, this time on charges of stealing a motorbike. “Once again, they took me to a desolate place and shot me in my right leg below the knee. Now I don’t go anywhere and stay at home all the time. Once I thought of writing all that has happened with me to the NHRC, but my family members discouraged me saying that we won’t get justice while Yogiji is the chief minister.”

In October 2021, three human-rights group released a joint report titled “Extinguishing Law and Life: Police Killings and Cover up in the State of Uttar Pradesh.” It describes Uttar Pradesh as “an active theatre” of encounters and counts 8,472 police encounters in the state since Adityanath became chief minister. “As a result of this, 146 men have been killed and another 3,302 have been injured with bullets,” the document states. In detailing their investigations into 17 encounter killings, the three rights groups show how the state government has circumvented safeguards laid down by the Supreme Court and the National

Human Rights Commission, and expose the complicity of the NHRC in turning a blind eye to this.

Official propaganda, amplified by a major section of the mainstream media, has pretended that these encounters have generated incredible enthusiasm among the masses and filled lawbreakers with terror. On the ground, however, there is nothing to show that they have acted as a deterrent. Instead, the entire state machinery, right from the top, has acted with grave prejudice and enabled violence outside the bounds of the law.

This is particularly true with regard to crimes against women. Such crimes, especially rapes and gang rapes, have become the order of the day in Uttar Pradesh. The most notorious examples include the gang rape and murder of a 17-year-old Dalit girl in Unnao, where the main perpetrator was the BJP leader Kuldeep Singh Sengar, and the alleged rape of a college student in Shahjahanpur by the former BJP leader Chinmayanand (he was acquitted after the complainant recanted her accusation in court). There has also been the gang-rape and murder of a young Dalit woman in Hathras, whose body was hurriedly cremated by the police against the wishes of her family, and the murder of a Dalit gang-rape victim and

OPPOSITE PAGE: During the second wave of COVID-19 in early 2021, the Uttar Pradesh government tried to downplay the number of deaths that took place because of mismanagement. “We might never have heard of this tragedy but for the weather,” Om Gaur, the editor of *Dainik Bhaskar*, wrote. “Rains in early May swelled the Ganges, tossing corpses up to the river’s surface and onto its shores.”

ABOVE: Adityanath and RSS chief Mohan Bhagwat at a function in Delhi in 2017.

BELOW: To reinforce a message of unity amid speculation about tensions with the BJP high command, Adityanath tweeted two photographs on 21 November 2021 of him and Modi taking a stroll together.

three members of her family in Prayagraj. In all these cases, the Adityanath government has at best appeared to be dragging its feet, and at worst standing with the perpetrators.

“Apart from frequent crimes against women, there have been several instances of innocents being killed in police encounters,” Rajiv Yadav, the general secretary of Rihai Manch, a human-rights and politico-legal advocacy group in Uttar Pradesh, told me. “These encounters have led to a complete erosion in civil and human rights. The governance model that Adityanath has developed rests on the belief that law enforcement is not a measure for ensuring justice but a means to impose harsh punishments for crimes the government claims have been committed, regardless of whether they have actually been committed or not.”

ON 11 DECEMBER 2019, the Modi government rammed through the Citizenship (Amendment) Act. Massive protests sprang up all over the country. In Uttar Pradesh, they were met with a brutal clampdown. Muzaffarnagar was one of the worst affected areas.

“After Friday prayers on 20 December, people from across the city assembled at Meenakshi Chowk to mark their protest against the CAA,” Mohammad Intasar, a local resident, told me. It was a peaceful protest and, after a few rounds of sloganeering the crowd started dispersing. All of a sudden there was stone-pelting, and it was not clear where the stones had come from. The police claimed that the stones had been thrown by the protesters, but the protesters pointed to the BJP leader Sanjeev Baliyan and his men, who were conspicuously present alongside the police. In any case, the police fired teargas shells and conducted a lathi charge to disperse the crowd. By 5 pm, calm was restored in the area.

Around 11 pm, the police moved on the homes of Muslim residents. “Police came in groups of nearly two hundred men and began vandalising properties of people,” Intasar said. “They entered my house after breaking open the door and ransacked everything: my car, window glasses, furniture, kitchen. They destroyed everything they could lay their hands on.” Intasar added that hundreds of other houses across Muzaffarnagar were also ransacked that night, and “there were also cases of inhuman brutalities by the police.”

The police attempted to cover up these assaults. Eyewitness reports and CCTV footage of the havoc they cause started filtering in only later—in one video, recorded on the night of 20 December, policemen are seen vandalising properties. It was apparent that the police assaults had a political motive: to fill Muslims with so much terror that they would give up their constitutional right to peaceful protest. The pattern was repeated in several other parts of the state, including Meerut, Kanpur, Lucknow and Bijnor.

By the end of December, at least nineteen people had died in the police crackdown and ensuing violence, mostly due to bullet injuries. Over a thousand people were arrested and more than five thousand placed in preventive detention. On 27 December, Adityanath issued a triumphant message from his official Twitter handle: “Every rioter is shocked. Every troublemaker is astonished. Witnessing the stern attitude of the Yogi government, everyone is silent.”

But protests kept flaring up through the beginning of 2020. At Bilariyaganj block, in Azamgarh district, peaceful anti-CAA protesters were subjected to a police crackdown and also charged under draconian sedition laws. “Around noon on 4 February 2020, women began gathering at Maulana Jauhar Ali Park as they wanted to hold a Shaheen Bagh-like protest,” Mohammad Tahir Madni, a respected Islamic scholar based in Bilariyaganj, told me. “Within hours, top district officers reached the block office along with bus-



loads of police forces. First, they asked me to use my influence to persuade women protesters to vacate Jauhar Ali Park. I talked to the protesters, and they agreed to return home if a written assurance was given to them that permission for protest would be granted to them for some other day. The administration refused to give a written assurance and talks failed.”

Madni was forced to make two more attempts to intervene that evening, but he failed as the district administration would only give verbal assurance. “I then returned to the block office and informed the district officials about the failed talks,” he said. “I was asked not to leave the place. Soon, I was informed that, along with my friends who accompanied me, I had been put under detention.”

Late that night, the police swooped in on the protesters. They sprayed them with water amid the cold and fired teargas shells, dispersing women protesters while picking up over a dozen men. An FIR was filed the next day and all those taken into custody were charged with sedition. Madni was depicted as the “instigator and leader” of a “riotous mob” that had gathered at Mansoor Ali Park, while others in custody were listed as the main rioters under his command. The use of the sedition law ensured that all of them remained in jail for almost four months.

EARLY IN 2021, Uttar Pradesh, with its already weak health infrastructure, was in no way prepared to handle the second wave of COVID-19. There were grave shortages of oxygen, ventilators and beds in intensive-care units throughout the state. But instead of making the state ready for the second wave of the pandemic, which seemed imminent, Adityanath’s focus was primarily on panchayat elections to be held in April. Ordinarily, panchayat elections are not high on the list of priorities for political parties. But the message that this election would send was to be managed because it was being held less than a year before the 2022 assembly polls—a fact made obvious by Adityanath’s all-out effort to tilt the results of the panchayat polls in favour of the BJP.

For similar reasons, the opposition parties also came out in strength. There was little regard for social distancing during campaigning. Coronavirus cases exploded in Uttar Pradesh in the second week of April, with the campaign going full blast, and by the end of the month the state was reeling.

Thousands of schoolteachers and other government employees who had been sent on election duty were infected, and a significant number of them died. Adityanath’s government denied this for a long time, and only relented after employees’ and teachers’ associations threatened to strike if their demands for compensation to the victims’s families were not met.

Adityanath’s handling of the second wave exemplified not just his slack grip upon reality but also his government’s hostility towards it. When reports of patients and hospitals scrambling for oxygen cylinders started making headlines, his office tweeted that there was no shortage of beds, oxygen or

strengthen rural health care or ensure adequate vaccine supplies—or take responsibility for its shortcomings.”

On 8 November, addressing a public rally in Rampur, Adityanath congratulated himself on his government’s management of the COVID-19 crisis, calling it the “best in the world.”

LOOKING AT THE WAY Adityanath has sought to govern, the only thing that can be said with certainty is that he fundamentally does not want change; he wants only power. Just as the HYV served him as an instrument for capturing state power, the police force is now serving him as an instrument to enable his domination of Uttar Pradesh.

The Adityanath government has failed to bring about any tangible improvement in the material conditions of much of the state’s population. In the NITI Aayog’s new index on health, education and standards of living, Uttar Pradesh, along with Bihar and Jharkhand, are the states

“He doesn’t trust most of the ministers and party MLAs,” a senior minister in the Uttar Pradesh government told me. “Perhaps he has never considered himself part of the team.”

ventilators in the state. He asked his officials to take action under the National Security Act against individuals who spread “rumours” and propaganda on social media and tried to “spoil the atmosphere,” and also to seize their property.

His threats and denials did not work. Instead, they looked like cruel jokes when dumped bodies started floating in the Ganges. Adityanath’s behaviour ran counter to all civilised views of political conduct and offered a grim picture of what was going on in Uttar Pradesh.

“We might never have heard of this tragedy but for the weather,” Om Gaur, the editor of *Dainik Bhaskar*, wrote in a moving piece for the *New York Times*. “Rains in early May swelled the Ganges, tossing corpses up to the river’s surface and onto its shores. They washed dirt from the banks, exposing the bodies buried there. The rains also laid bare the government’s colossal failure to

with the highest proportion of people who are multidimensionally poor. The state’s gross domestic product had a compound annual growth of only 1.95 percent between 2017 to 2021, the years under Adityanath’s reign. In comparison, the compound annual growth rate between 2012 and 2017 was nearly seven percent.

Adityanath is neither the first nor the last chief minister to not have a strong grip on economic concepts and the workings of government. Generally, in such situations, leaders overcome their handicap with the help of advisers. But Adityanath’s peculiar form of self-absorption makes him ill-suited to close working relationships with advisers, bureaucrats and even his ministerial colleagues.

“He doesn’t trust most of the ministers and party MLAs,” a senior minister in the Uttar Pradesh government told me. “Perhaps he has never considered

“His vile temper and his habit of frequently using abusive language scare well-meaning civil servants and advisers,” he said. “They prefer to remain silent instead of speaking their mind because they are never sure whether they would be snubbed if they open their mouth.”

himself part of the team.” Even though Adityanath won all his elections on BJP tickets, the minister said, he never felt at home in the party. “Always, right until he became the chief minister, he believed that he alone should take all decisions for Purvanchal and that the party must obey him in the region. With the help of his Hindu Yuva Vahini, he fiercely guarded his bastion not only against the SP and the BSP but also against the BJP leaders. That is why, even though he heads the BJP government, he has not been able to develop complete faith in the party’s MLAs and ministers and is generally suspicious of most of them.”

According to the minister, Adityanath does not have faith in most of his government’s bureaucrats either. “His vile temper and his habit of frequently using abusive language scare well-meaning civil servants and advisers,” he said. “They prefer to remain silent instead of speaking their mind because they are never sure whether they would be snubbed if they open their mouth.” On the basis of his experience, the minister added, “I can tell you that that is the way bureaucrats save themselves—if they realise that the boss is bad-tempered and unpredictable, they become quiet. This kind of situation often leaves Yogiji dealing with the crisis alone or in consultation with a handful of sycophants, including a few police officers.”

Speculation surged during the summer of 2021 that Modi was trying to remove Adityanath, or at least attempting to clip his wings. The speculation became intense in June, when several top BJP and RSS leaders made visits to Lucknow and held meetings with Adityanath and important ministers. Though the party described these meetings as a “routine exercise” in the run-up to the assembly elections, it was evident that all was not really well in Adityanath’s equation with the BJP high command.

That the rumours had some basis was confirmed months later by a senior member of the RSS. “In June, there were some serious efforts to curtail

his authority,” the RSS member told me. “The aim was not to remove him from the post but to make him share some of his power with some identified colleagues. But those efforts were immediately halted when it was realised that Yogi-ji was more than determined not to let control of events slip away from him.”

There was also another rumour—that, in the event of the BJP winning the forthcoming assembly election, Adityanath would not be given a second chance. “The rumour tended to create uncertainty in the minds of our supporters with regard to the fate of Adityanath after the assembly election,” the RSS leader said. “This threatened to damage the prospects of the BJP and required immediate clearing of the air by the top leaders of the party.”

In October 2021, Amit Shah told a gathering in Lucknow, “If you want to make Modiji PM again in 2024, then in 2022 you will have to make Yogiji CM once again. Then the country’s development can move forward. Because, without development of UP, the country cannot develop.”

To reinforce the message of unity, Adityanath tweeted two photographs on 21 November of him and Modi taking a stroll together. Modi was shown talking intently to Adityanath while resting a hand on his shoulder. Adityanath also posted a brief verse: “We have set off with a vow, dedicated our body and soul, determined to make the sunrise, go higher than sky and make a new India.”

These measures were important for both the BJP and Adityanath. But they also revealed that Adityanath had crossed the first major challenge without much hassle. Those who were out to sideline him had themselves declared him the party’s chief ministerial face, perhaps because of their compulsion to preserve the appearance of collegiality at election time.

“One of the reasons for the failure of Modi and Shah in cutting Yogiji down to size was that the Sangh does not view Yogiji in the same way as it used to do earlier,” the RSS leader said. “Until he became the chief minister, Yogiji was more of a trouble for the Sangh because he appeared to be pursuing independent, and often parallel, political ambitions.” But things had changed in the last five years. “He has tried hard to integrate himself with the Sangh Parivar. And the Sangh has applauded him for his endless stress on Hindu religious symbols in the political sphere and his brutal qualities while dealing with Muslims. So, while the BJP leadership was in two minds on the question of Yogiji, a major section of the Sangh was already looking at him as the face of the next UP elections.”

Every move by the party is now a tactical one, aimed at securing another electoral win in



ATUL YADAV / PTI

ABOVE: In the battle of public perceptions, Modi faces a challenge from Adityanath, who has the advantage of being an initiated yogi—an ascetic for whom saffron is not just the colour of his political banner, as it might be for other BJP leaders, but also of his sectarian identity.



2022. Adityanath himself signalled the opening of the campaign days after Shah's declaration. On the eve of Diwali, in Ayodhya, he said his government was building temples with money that earlier governments spent on "building the boundaries of *qabristans*"—Muslim graveyards. "The pubic showed those people who love qabristans their place," he went on. "They today see us spending money on building temples and taking Indian culture forward."

The fact that he chose Ayodhya for the opening was significant. In 2017,

in the run-up to that year's assembly election, he had made careful symbolic use of Ayodhya too. "The hurdles on the path of construction of a grand Ram temple will be gradually removed, and its construction will soon start in Ayodhya," he had declared. After becoming the chief minister, he started celebrating "Deepotsava," a mega carnival of lights, in Ayodhya every year on the eve of Diwali. Adityanath demonstrated that he would stick to his tried and tested practices, and would continue to use communal polarisation to win elections.

The success of Adityanath is the success of the ideological milieu in which he, Modi and the Sangh Parivar operate. He is seen as the ultimate product of the attitudes and complexes that have shaped the RSS and its exclusionary vision of a Hindu Rashtra. Adityanath's actions reflect a combination of the religious and political attitudes of the Sangh, while his speeches contain all the biases that keep the ideological mothership going.

Clearly, Adityanath is not afraid to use old ideas. They have benefitted him greatly in the past. ■

• A MARKETING INITIATIVE •





IN HUSTLE MODE

*We decided to take the Taigun on a road trip to see how it held up. **Spoiler alert: we loved it***

Our year began with the Taigun on our cover, in January, and ever since then, we've been eagerly waiting to put the new Volkswagen through its paces properly – our way. With the Taigun now officially launched and already going great guns (18,000 bookings as we write this and the entire 2021 lot being almost sold out), we finally got the chance to hustle the new Taigun over a 2000+km road trip.

The Taigun is a significant product for Volkswagen, of course, and has a lot going for it. It looks considerably more premium than its rivals and has the promise of the famed Volkswagen handling, performance and built quality. The moment you look at it, you know that the paint quality is great, the doors shut with an assuring thud

and the overall presence of the Taigun commands attention. As for the cabin, it emphasises this vehicle's premium air, making it feel like a car from a segment higher, at least. The clean lines and understated elegance of the dash and other panels stand out, and the flat-bottomed steering wheel adds a very sporty touch, as do the red mood lights.

We wanted to see how the Taigun gets on with life on the road. And yes, we did want to see how much it could 'Hustle'. So, we opened up some maps and our to-visit list and marked a point on the Rajasthan-Madhya Pradesh border as a target. The destination was Kaali Sindh dam, built on its namesake river and located in the Jhalawar region of the state, an area known for its dense forests, massive water bodies and some incredible forts.



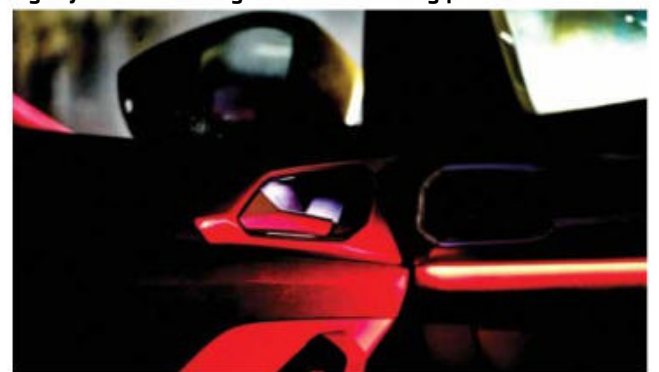
However, instead of just heading straight to our destination, we decided to make a stop in Alwar and visit the stunning Ajabgarh Fort, without which the stories of Bhangarh's haunted past are incomplete. The roads leading to Ajabgarh are stunning, and you actually drive through the buffer zone of Sariska national park, which is always something that promises a surprise or two. At one point, we were surrounded by a flock of sambhar deer, quenching their thirst at a roadside water tank built for them. Only a bit ahead, we saw another group of antelope cross a small stream.

From then on, it was a sprint of around 500 km to reach Kota before night fell.

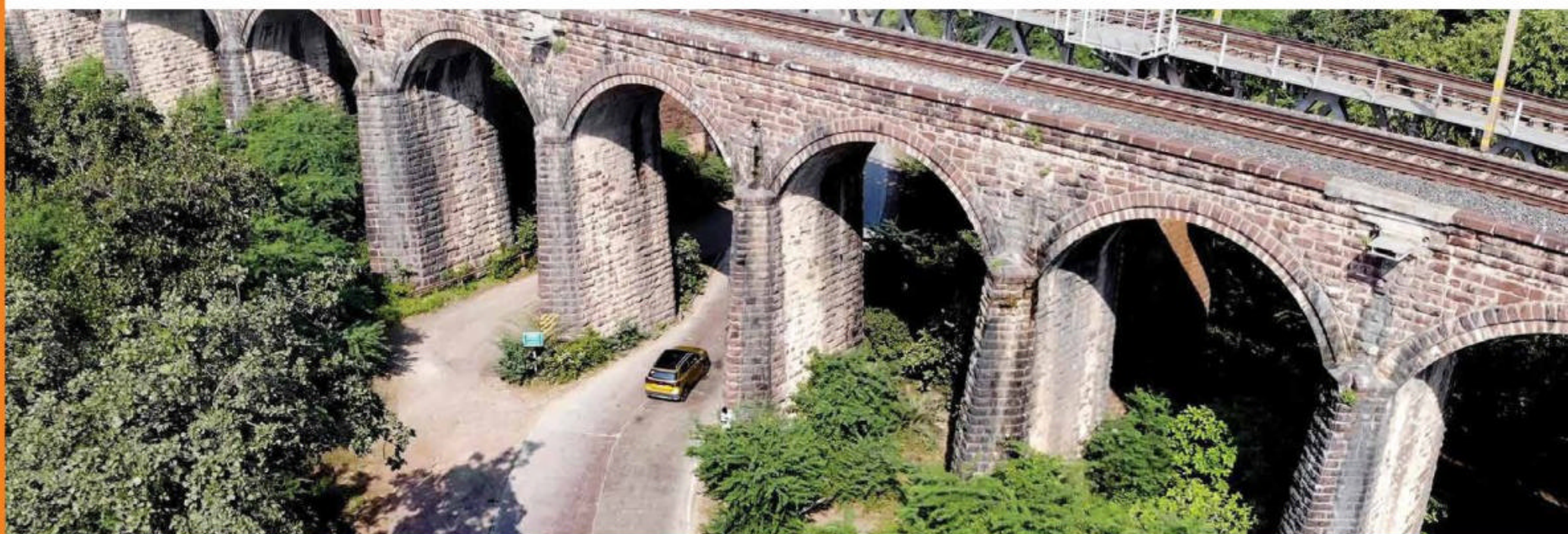
This was where the Taigun got to show its highway mile-munching capabilities like a pro. Its suspension is neither too stiff nor too softly sprung, thus offering precise inputs while never becoming uncomfortable even through the worst of roads at (slightly) faster than normal speeds. The acceleration on offer from its 1-litre TSI unit is always grin-inducing, and the way the Taigun pulls out of corners makes you seek out tight bends all the time. You always need to keep an eye on your overall speed, since the combination of an energetic engine, great acceleration and a precise, 6-speed torque converter automatic gearbox will tempt you to push the speedometer ever northward.



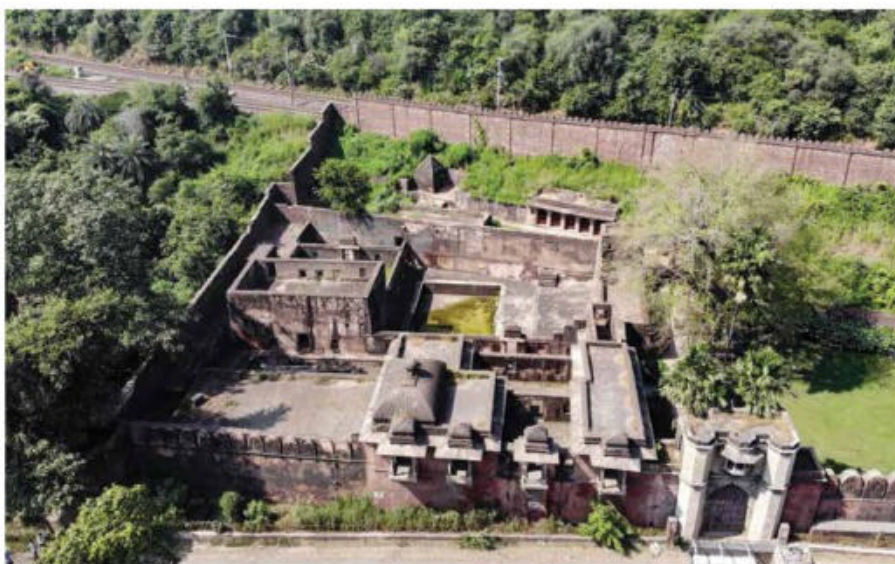
Light yet direct steering feel adds to driving pleasure



Red ambient lighting evokes the Taigun's sporty nature



“The acceleration
on offer from its
1-litre TSI unit is
always grin-inducing”



The stunning Ajabgarh Fort stands tall amongst its surroundings and is simply breathtaking



We spent a lot of time soaking in the beauty of the places we visited – but it never felt enough

It took us about 7 hours to reach Kota, and the only thing on the cards was dinner and some sleep. The next morning started with a visit to the city's most famous kachori seller, the fabulous Ratan Mishtan Bhandar. Due to obvious reasons, a lot more than we should have had was consumed, but no one was complaining. While we tried to breathe again properly after stuffing ourselves, we decided to get our Taigun washed and ready for the next part of the journey.

En route Jhalawar from Kota, you have to drive through the Darrah National Park, a part of the larger Mukundra Tiger Hill project. This is one long forest, beginning as you enter Rajasthan through Alwar and ending at the MP border on one side while covering a much larger area across the

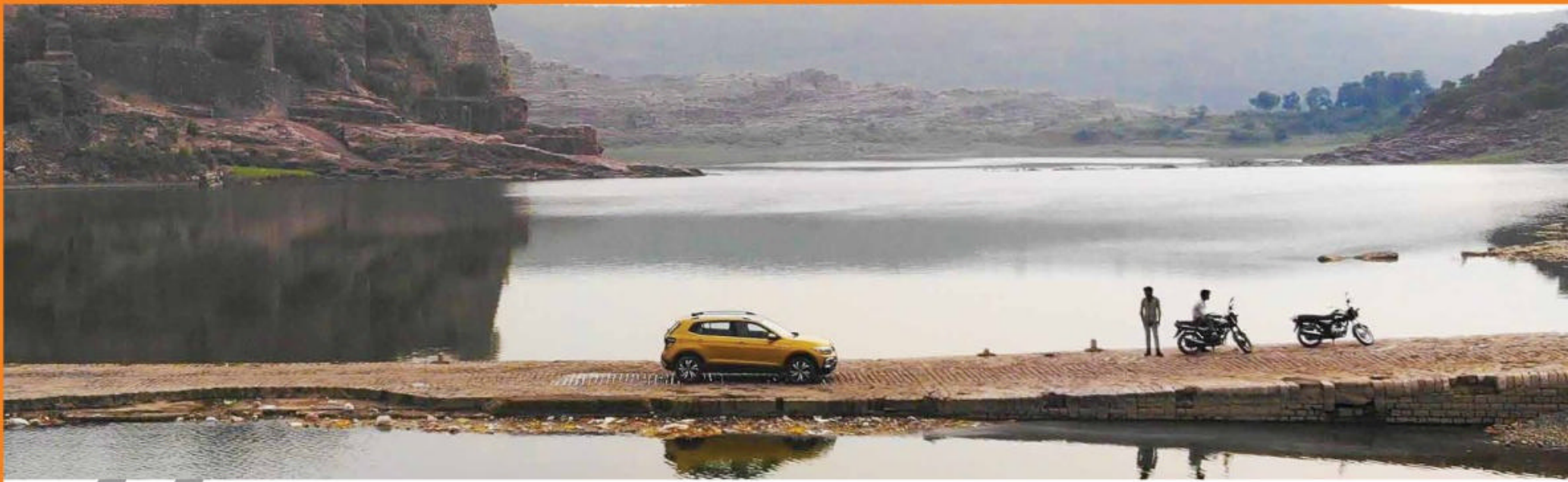


The famous Ratan Mishtan Bhandar kachoris in the making



Kota, Rawatbhata and Jhalawar region. What this road offers is stunning views of the land mass that surrounds it – the mountains, the forest cover and whatnot. You also get to drive over decades old railway bridges that offer a stunning backdrop. We spent several hours soaking the beauty of this area, and when we reached Jhalawar, it was time to search for a hotel and sip some great tea

The next morning, we woke up early to visit the marvelous Gagron fort, which is a UNESCO heritage site. Once you get here, you wonder why it isn't among the top tier must-visit forts in Rajasthan. Surrounded by rivers on three sides and dense forest on the fourth, it was among the most un-breachably forts of its time. The view from the top, and the narrow



We were kept comfortable by the seats in the Taigun, which have clearly been designed to aid driving pleasure as well as comfort

carriageway that becomes visible when the water level is low, are just breathtaking, especially under the morning sun. So far, we had already covered in excess of 800 km since we left Delhi, and we still had a 90-odd km range showing on the meter. This was a rather good surprise, considering the petrol price in Rajasthan was over Rs 112 per litre. Throughout the drive, we never really tried to target the best efficiency figure and yet, here we were, looking at a full tank range impressively close to 1000 km. Unexpected, but hugely impressive!

As we sat along the river bank, we knew we hadn't really felt any fatigue through the trip. We had spent hours on the trot driving through fast stretches, country roads and narrow city lanes and throughout, we were





kept comfortable by the seats in the Taigun, which have clearly been designed to aid driving pleasure as well as comfort. The view from the driver's seat is impressive, and it's definitely the place to be.

After the fort, it was time to visit the place we had come here for – the Kaali Sindh Dam. As luck would have it, there was some maintenance work going on, and non-essential personnel were not being allowed close to the dam. However, we quickly found a way to deal with this setback by convincing an orange orchard owner in the vicinity to let us explore his property. This region is famous for its incredibly fertile soil, and it is among the most significant poppy-producing regions in the country.

We decided to savour the delights of freshly plucked oranges, and the kind owner did not just let us go just like that. He also invited us to an amazing lunch with his family, and it was the best food we have had in a long long time. After a good meal here, why everyone doesn't weigh as much as a small planet in Rajasthan is a mystery.

It was now time to return to base, and the gods of road tripping presented us with a glorious sunset over the massive lake. It was a spectacular end to this epic journey, and we knew it would be hard to part ways with the Taigun once we were back in Delhi; it is the most satisfying SUV that we've driven in quite a while. Volkswagen had told us in January that 'This is the Year of the Taigun' – and they were right on the money.





A ROPE OF SAND

Examining the history of self-defence in India



ESSAY / LAW

VARUN THOMAS MATHEW

PREVIOUS SPREAD: Rubble lies on the floor of a destroyed house in Shiv Vihar, in March 2020. The house had been attacked by a Hindu mob during the Delhi violence.

ON 3 MARCH 2020, I boarded the pink line of the Delhi metro and headed to Maujpur, a suburb in the north-eastern part of the city. The metro coaches were sparsely occupied, and there was only a small trickle of people at the station, which was unusual for a Tuesday morning. Outside was a small group of members and volunteers working with ANHAD, an NGO that was coordinating relief work in the area. We split into two groups and set out. My group comprised four people: Tarun Sagar, a social activist working with ANHAD who was organising the relief effort, another ANHAD member, a journalist and me, a lawyer. We were slated to visit affected families in Shahdara, Jaffrabad and Kabir Nagar, the neighbourhoods bordering the epicentre of the riots in the previous week, which claimed, according to official estimates, 53 lives.

If it were not for the deployment of Rapid Action Force personnel at every chowk and corner, or the precision with which specific shops on the main road had been burnt down while adjacent ones were left unscathed, it would have seemed like a normal day. The helmet stores and garment shops on the serpentine streets winding through Kabir Nagar seemed undecided as to whether or not they were open, but the small food joints proclaimed their thirst for business quite cheerfully.

We wound our way past the tightly packed gullies, ringfenced with an open drain, until we reached the home of a woman who had lost her son at the height of the violence. He had been shot in the stomach on 25 February 2020 and died several hours later in a government hospital that had initially refused to treat him. It was not difficult to identify her when we arrived on her street. She was seated outside, surrounded by a small group of men and women. No one seemed to be speaking. On seeing us, she immediately went inside to bring out chairs, which were placed on the street and dusted off with her dupatta before we were invited to sit down. She had a look on her face that we had seen in many of the inhabitants of other houses devastated by the riots: a calm disbelief in the reality thrust upon her that can only be achieved after days of weeping.

She repeated her son's name several times and said that he had been an entrepreneur who dreamed of building a successful business. He was just 24 years old, had two young children and a young wife, who was now in *iddat*. Shortly before they all heard the sounds of rioting in the adjacent maidan, she continued, he had stepped out to buy something. He was shot, and his friend carried him home. The neighbour's Maruti van, which was used to transport him to the hospital, still bore smears of his blood. The family felt that the hospital had not given him adequate attention;

attention that might have eased his final moments, if not saved his life. There had been a lot of trouble getting the body released.

What can you say to someone whom the state has failed in every way possible? We found ourselves providing brittle legal advice of the kind that they must have heard a dozen times over the last week. We accompanied the family to the Jyoti Nagar Police Station to get a copy of the first-information report pertaining to the death and eventually received a document that did not even spell his name correctly. After helping them put together documents to make a compensation claim, we left, feeling rather useless in the whole scheme of things. Ayub, their neighbour, the one who had carried the dying man in his arms on the way to the hospital, accompanied us to Maujpur station.

The right of self-defence is an inadequate right, carrying a history of racist legislation, inconsistent application by trial courts and weaponisation by the prosecution against those who exercise it.

Just before we took his leave, he asked me, "Is it okay to defend ourselves?"

He was still nervous. Holi was just around the corner, six days away, and there was cause for worry that a new bout of violence would break out on the occasion. The Delhi Police had been making rounds of the area, pointedly searching Muslim homes and rounding up young Muslim men on accusations of rioting, often on grounds as flimsy as the presence of rubble or stones inside their homes or a likeness of their faces caught on public CCTV cameras.

I hesitated. Self-defence is not an easy right to claim or prove, especially in circumstances such as this. Finally, I said, "Of course you have the right to defend yourself, and your neighbours, from any crime. But if you aren't careful, they will use that to accuse you of rioting." My answer gave him no comfort. He turned away, remarking, "Even our rights are of no use to us." I boarded the train home wishing I could have said something else to him.

The right of self-defence, or private defence, as it is known under Indian law, is of little comfort to anyone in the midst of a communal riot. It is an inadequate right, carrying a history of racist legislation, inconsistent application by trial courts

and weaponisation by the prosecution against those who exercise it. It has been directly defeated by law enforcement, with the intent of leaving victims defenceless. In an India where millions live in constant apprehension of communal violence, it is often little more than a rope of sand; a truncated shell of a right that is subject to tight restrictions and vague standards, rendering it of little use to people orphaned by the state in the midst of a communal riot.

THE RIGHT TO SELF-DEFENCE is one of the most basic entitlements of every human being, intrinsically wound up with the right to life. It is a natural right, one that is fundamental and inalienable. It even has wide theological support across a number of religions. For this reason, the right of self-defence operates as an exception to the monopoly that most modern states claim over the use of physical force.

The present version of the right in India was drafted in 1837 by Thomas Macaulay, who chaired the law commission compiling what was later adopted as the Indian Penal Code. It states that no action done in self-defence is a crime. This right extends to the protection of one's body and property, and of another's. There are, of course, qualifications and limitations placed on the exercise of the right, which are intended to prevent abuse and ensure reasonableness. The right to self-defence is, therefore, not absolute.

However, some of the limitations present in the IPC take rigid forms that can be problematic in certain contexts. For one, the law states that the right to self-defence does not exist if there is sufficient time to approach the authorities for protection. The law also states that the right arises only when a reasonable apprehension of danger arises and continues only as long as such apprehension of danger continues. And perhaps the most glaring aspect is that the law stipulates that the right of self-defence does not exist against the actions of a public servant acting in good faith, even if such actions are unlawful. While these restrictions may be appropriate in certain circumstances, they are most inapplicable in a range of situations that frequently occur in our country.

Consider a communal riot. It is invariably useless to seek aid from the authorities during a riot; victims of recent riots in India have detailed how locked gates at police stations and unanswered phone calls to police numbers are the norm at such times. For instance, survivors of the Gulbarg Society massacre described how Ehsan Jafri made scores of phone calls to the authorities during the Gujarat riots of 2002—including to the director general of police, the commissioner of Ahmedabad and the chief secretary of the state—all to no avail. Indeed, efforts to reach the authorities can be downright dangerous, particularly in light of the fact that the police are often bystanders during the violence or even direct facilitators, as during the Meerut riots of 1987. For the many communities in India that live in constant fear of communal violence, such rigid restrictions on the right are both unjust and illogical.

Self-defence can also take specific forms in the context of communal riots that are not recognised or even envisaged by the law. Collective self-defence by a group is one such example; taking pre-emptive measures, such as the acquisition of weapons to defend one's home and family, is another. Without specific statutory recognition or clear sanction by the courts, such forms of self-defence can be, and are, invariably portrayed by prosecution agencies as evidence of the intent to riot. This has led to the incarceration of victims who sought to do nothing more than protect themselves, an outcome I will examine later in this piece.

Even in pre-independent India, the occurrence of communal riots and the variation in the legislative needs of the population vis-à-vis the right of self-defence was well-recognised. In his Tagore Law Lecture delivered in 1902, Syed Shamshul Huda, who went on to become a judge of the Calcutta High Court and a member of the legislative council of Bengal, noted the extreme frequency of riots in India. Since there was a lower likelihood of receiving a response or aid from the police in the North-Western Frontier Provinces than there was in Calcutta, Huda argued that the extent of the right of self-defence had to be correspondingly and

proportionately greater for residents of the NWFP.

But Macaulay did not care about the specific needs of Indian subjects of the British Raj, and the provisions of the IPC were tailored to suit the colonial objectives of the time, often reflecting his own extreme prejudices. This is borne out, for instance, in how the right of self-defence gives no quarter against the unlawful actions of the state. The only value the colonial authorities perceived in the right was in the context of peer-to-peer incidents, primarily roadside dacoity. This was fuelled by the widely held belief among the British that the jungles and roads of the hinterlands of India were filled with criminal tribes and thugs just waiting to pounce on the people of the subcontinent.

Ironically enough, Macaulay believed that he had given far too much latitude to the provision in the IPC and he justified this largesse with a rather interesting explanation:

We are ourselves of opinion that if we had been framing laws for a bold and high-spirited people, accustomed to take the law into their own hand, and to go beyond the line of moderation in repelling injury, it would have been fit to provide additional restrictions. In this country the danger is on the other side; the people are too little disposed to help themselves; the patience with which they submit to the cruel depredations of gang robbers, and to trespass and mischief committed in the most outrageous manner by bands of ruffians, is one of the most remarkable and at the same time, discouraging symptoms which the state of society in India present to us. Under these circumstances we are desirous rather to rouse and encourage a manly spirit among the people than to multiply restrictions on the exercise of the right of Self-Defence.

It is unfortunate that the right to self-defence—and, indeed, much of the IPC—was neither exorcised of its colonial prejudices nor adequately updated to serve the pressing needs of the populace after India attained independence. The higher judiciary has, in several

cases, applied a liberal and constructive approach to construing the exercise of self-defence. In *Vidhya Singh vs Madhya Pradesh*, in 1971, it went so far as to hold that the “right of self-defence is a very valuable right. It has a social purpose. That right should not be construed narrowly.” By comparison, trial courts and law-enforcement agencies across the country seem to have missed the memo when dealing with riot cases.

The enduring reality is that the exercise of self-defence, in situations such as communal riots, poses great risk to victims. Moreover, police forces have often actively frustrated the exercise of self-defence by the victims of communal violence, leaving them vulnerable; the reports of the Nanavati Commission and the Misra Commission on the 1984 Anti-Sikh Riots record testimony on how police forces in Delhi deliberately seized kirpans, sticks and other means of defence from Sikh homes, moments before they were attacked by mobs. The conduct of the Delhi police during the Delhi riots of 2020 reiterates this, and Ayub’s apprehensions were absolutely justified. Before examining the specific circumstances of the Delhi riots, it is instructive to examine three specific legal cases over the last seventy years which make for particularly interesting and relevant reading in the context of what one can do when faced with the certain prospect of violence during a communal riot. (As an aside, the reader must bear in mind that the use of the term communal “riot” to refer to unilateral instances of violence against a particular community or group, is inappropriate. Many incidents that are widely referred to as communal riots are, in reality, targeted instances of communal violence. The difference, particularly in the legal context of self-defence, is significant.)

THE FIRST CASE INVOLVES a communal riot in the aftermath of Partition.

On 5 March 1950, a riot broke out between Sindhi refugees and resident Muslims in Katni, a small city in present-day Madhya Pradesh. During the course of the violence, a large mob gathered in a popular municipal locality known as Zanda Chowk and proceeded to break into and loot shops

owned by Muslims. Several Muslims were also killed during this specific incident.

A local businessman named Amjad Khan and his brother Zahid ran twin shops on opposite sides of the same building in the midst of the bazaar at Zanda Chowk. Having received word of widespread rioting across the city, and the mob making its way through Zanda Chowk, Amjad shut shop and went home, which was close by. There, he met Zahid’s family, who said that their side of the building had been completely wrecked and that they had barely managed to escape. Immediately after, Amjad’s mother informed him that the mob had burst into and were looting his shop.

All of this caused Amjad to take a gun and rush to his shop, where he found that the mob had not actually entered his shop, but were instead beating on its shutters. He fired two shots, which the court records as having struck four people, all Sindhis, of whom one died. The mob then dissipat-

Self-defence can also take specific forms in the context of communal riots that are not recognised or even envisaged by the law. Collective self-defence by a group is one such example.

ed, and Amjad was arrested for having committed murder.

There are two things that may benefit from clarification at this point. First, by focussing on the incidents at Zanda Chowk on 5 March 1950, I am not making a comment on the overall source of the violence in Katni or allocating blame to any particular community; instead, the facts of the case in *Amjad Khan vs The State* deal with this incident specifically, and the focus of the court was limited to this point. Second, the sessions court and the high court both found Amjad guilty, and he was accordingly convicted and

sentenced. The justices of both courts held that, since there was no actual looting of Amjad’s store and the mob had merely banged upon the doors, there was no apprehension of danger at the time and Amjad, therefore, had no right of self-defence when he fired those shots. The Nagpur High Court—as it was then known—specifically held that the shot was fired “when there was no looting at the shop and thus no right of private defence.”

Amjad filed an appeal against this judgement before the Supreme Court, which was heard by Justices Fazl Ali and Vivian Bose. In a landmark judgement that should have cemented the approach of future courts handling riot cases in this country, they recognised that such cases ought to be considered in the context of the unique circumstances of the time, referring to how communal frenzy had gripped the country and led to indiscriminate looting and murders across the land, including in Katni. The fact that Amjad’s family had fled seeking protection, that Muslim shops had been looted and Muslims had been killed in adjoining localities, and that now the mob was banging on his door with lathis, was sufficient to give rise to the right of self-defence. He did not need to wait for actual the looting to begin in order to exercise his right to defend his property and, by extension, the lives of his family, as the threat posed by the mob was implicit in their conduct.

Amjad was thus acquitted, and his conviction and sentence set aside. Importantly, the court held that the considerations applying to self-defence in the midst of a riot could not be weighed by “golden scales.” You cannot judge the exercise of self-defence by a person in the middle of a riot in the same manner as you might judge it in the case of a person involved in a parking-lot brawl. This remains one of the most significant prescriptions for post-facto judicial determination of the conduct of a victim of a communal riot.

The right of self-defence, then, would extend to pre-emptive action, in that a person need not wait for actual harm to materialise to herself or her neighbours. Instead, where the threat is real and apparent, they are entitled to exercise their right to self-defence. This natu-

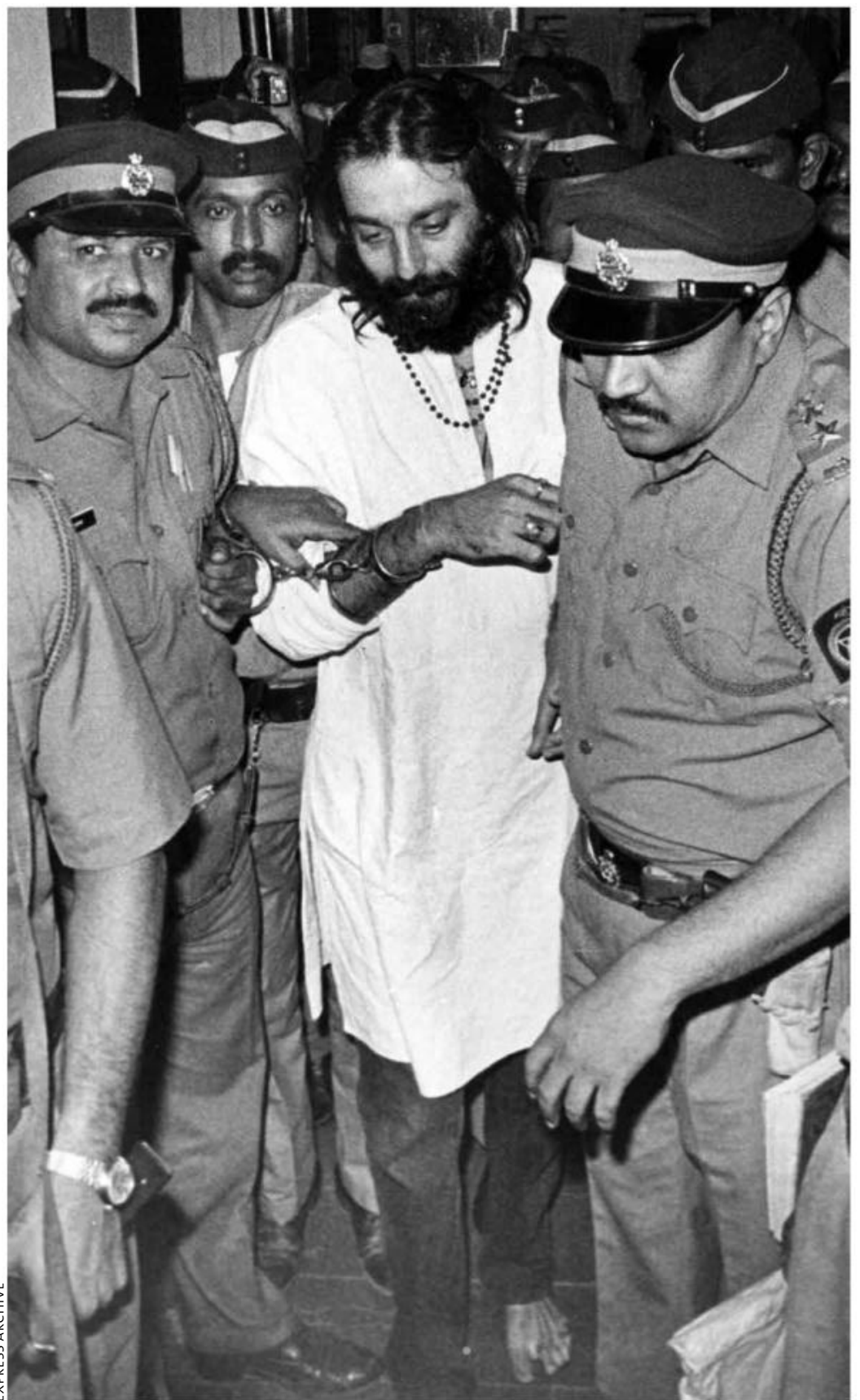
rally throws up the question of whether a person may take pre-emptive precautions to bolster their capacity for self-defence, bringing us to the second case, which involved a mindless act of destruction, sweeping communal riots across the country, a Bollywood star and AK-56 rifles.

THE DEMOLITION OF THE BABRI MASJID by Hindu nationalists in December 1992 led to widespread communal riots across the country. Bombay was particularly badly affected. The violence persisted for months, sweeping over the city in multiple waves, with acts of terror being used as retaliation against acts of genocide. Civil-society estimates of the death toll from the riots between December 1992 and January 1993, and the bomb blasts that followed in March 1993, exceed two thousand; the full extent of grievous injuries, sexual violence and destruction of property cannot be quantified.

Sunil Dutt, an exemplary politician of conscience, resigned from parliament over the guilt of having been unable to protect the people of his constituency during the riots. He took an unyielding stance against the political forces fuelling the violence in the city and undertook extensive relief work in areas that were predominantly populated by Muslim victims. His late wife was Muslim, a fact that was used to give a communal colour to everything he said and did. In January 1993, he survived an attempt on his life by right-wing groups, and his family received numerous death and rape threats throughout that period. It was in this context that his son, the Bollywood actor Sanjay Dutt, claimed that he sought to acquire an automatic weapon to defend himself and his family.

On 16 January 1993, Dutt came into the possession of three AK-56 rifles, 25 hand grenades, a nine-millimetre pistol and significant amounts of ammunition, which was part of the same consignment of weapons used to carry out terrorist attacks in Bombay shortly after. Two days later, the majority of this arsenal was removed from Dutt's home, apart from a single AK-56 rifle, a pistol and some ammunition, which he later claimed to have retained for self-defence. He was subsequently arrested under provisions of the Terrorist and Disruptive Activities (Prevention) Act, 1987 and the Arms Act, 1959, and accused as one of the conspirators in the Bombay blasts.

Dutt's claim of self-defence was not consistent. He initially denied having possessed the weapons. Subsequent confessions made to the police, on 26 and 28 April 1993, about possession and destruction of the weapons, were retracted in a detailed filing made on 9 November 1994, and there remained contradictions in his subsequent statements. Moreover, he already possessed three licensed weapons, and the family had been provided police protection. He was



EXPRESS ARCHIVE

thus unable to clearly explain why he needed to acquire automatic weapons from men with known underworld links.

The prosecution went on to use evidence of multiple meetings between Dutt and members of terrorist and underworld organisations as an indication of his being a terrorist himself. It bolstered its case with details of his drug addiction and apparently immoral lifestyle, and rubbished his claim of self-defence, citing that police protection had been provided to his family and that the weapons he acquired had capabilities far beyond those needed for any exercise of self-defence. Ujjwal Nikam, the public prosecutor in the case, stated that, if Dutt's defence was accepted, the result will be that "someone will have an anti-aircraft gun

ABOVE: Sanjay Dutt's arrest in 1993. Dutt's claim of self-defence was not consistent. He initially denied having possessed weapons. Few cases in this country have commanded as much public scrutiny as Dutt's trial. An entire cottage industry sprang up overnight to defend Dutt and portray him as a well-meaning but misguided young star.

OPPOSITE PAGE: Activists in Mumbai shout slogans in front of a local mosque to mark the seventh anniversary of the demolition of the Babri Masjid by Hindu nationalists. After the demolition, there were widespread communal riots across the country. Bombay was particularly badly affected. The violence persisted for months, sweeping over the city in multiple waves.

on their terrace saying that he apprehended some enemy aircraft [was going] to bombard his house.”

Few cases in this country have commanded as much public scrutiny as Dutt’s trial. Newspapers, magazines and films have long fed upon the material from the trial, which lasted over thirteen years. An entire cottage industry sprang up overnight to defend Dutt and portray him as a well-meaning but misguided young star. Politicians found themselves flipping across the dividing lines of opinion, and even hard-line right-wing leaders who initially sought maximum punishment for Dutt are said to have melted when his father, Sunil Dutt, approached them seeking help for his son. The result was that Dutt received leniency not given to others in the same case who were accused of similar or less grave offences.

In November 2006, the TADA special court accepted Dutt’s claim of self-defence. On this basis, he was acquitted of charges of terrorism and related offences, but convicted for the unlawful possession of weapons—a violation of the Arms Act. He was sentenced to six years of imprisonment. This ruling was upheld in 2013 by the Supreme Court, which expressed “full agreement” with the conclusion of the special court but also reduced Dutt’s sentence to five years, the statutory minimum for the offences.

It is beyond the scope of this article to examine whether Dutt’s case was fairly decided; what is more relevant is the inherent inconsistency therein. If Dutt was truly exercising his right of self-defence, which exculpated him from the offences under the TADA, then there is no reason as to why he should have been convicted for the same action under the Arms Act. After all, the right of self-defence as expressed by Section 96 of the IPC means that nothing committed in exercise thereof will be an offence. There can be no half measures in terms of the application of the right—either he was exercising his right to self-defence and hence not guilty, or he was guilty.

It is useful in this context to juxtapose the case of Mohammad Khalid against that of Dutt. On 16 March 1993, just two months after Dutt’s acquisition of automatic weapons, an explosion ripped through a two-storey building on BB Ganguly Street, in the middle of Calcutta. Sixty-nine people were killed, and 46 others were injured. The investigation into the incident revealed that several people had occupied a room on the first floor of the building to manufacture bombs. Large quantities of nitroglycerine-based explosives were stored in the room, along with live bombs; the police concluded that these bombs were intended to commit terrorist acts in response to the communal riots following the Babri Masjid demolition. The defence, on the other hand, claimed that these bombs

were prepared solely for the purpose of self-defence, as the accused were Muslims who feared continuous attacks and reprisals by the Hindu community. In *Mohd Khalid vs State of West Bengal*, in 1995, this submission was rejected outright by the Supreme Court, which saw the possession of a large number of live bombs as implying a clear and evident intent to terrorise rather than protect or defend.

The approach by the court in Khalid’s case is far more consistent than that displayed in Dutt’s. For one, the right of self-defence is not selectively applied to some of the offences alleged; in Khalid, it was treated as a composite and rejected outright. The court considered the facts that bombs were not typically used in self-defence, particularly in the large quantities stocked in this case. Moreover,

What, then, is left to a person for self-defence? There is little left with which to protect oneself during a riot, save sticks and stones and, potentially, fierce pets.

Calcutta had not faced the kind of extreme communal violence that was seen in other parts of the country, and hence the need for self-defence was overstated by the defence. In Dutt’s case, the court found that the self-defence argument was sufficient to negate the terrorism charges against him, but not sufficient to exculpate him from the unlawful-possession charge. Unfortunately, these inconsistent applications dilute the foundations of the right of self-defence.

In *The Wages of Impunity*, his extensive treatise on human rights in India, the lawyer and activist KG Kannabiran pens a fictional letter on behalf of Sanjay Dutt to the judges in his case. It is written from Dutt’s viewpoint, expressing his case and arguing why he should not be held guilty of an offence. (I do not know if Dutt has ever read the letter, but it is unfortunate that the makers of his recent biopic most certainly did not.) The letter makes an exceptionally persuasive argument for the right of self-defence in light of the Bombay riots:

I bought the assault rifle to defend myself and my neighbours against any possible attack by these mobs. This was in exercise of my basic right to private defence. This right revives when the state fails in its primary obligation to defend the lives and properties of its citizens. Proof of no other circumstance is necessary to assert this right of private defence in my case. I could not have effectively defended myself against the mobs

without an assault rifle, and these unfortunately are not available in the super bazaars of Bombay. These are available with narcotics peddlers and smugglers, who are also gun-runners ...

During the January riots, hospitals in Bombay admitted 1,160 persons: 397 were dead on arrival and 169 died after admission; thousands migrated and nearly two lakhs were rendered homeless. If this scale of violence does not raise a presumption in my favour of a reasonable apprehension of danger, God help the people who

believe that you and the other who operate these institutions are going to dispense even-handed justice!

The point that emerges from these cases is that the right to self-defence in such situations has been recognised but does not extend to acts in violation of certain laws, such as the Arms Act or the Explosive Substances Act, 1908. Logically, this would mean that a person in the midst of a communal riot may defend themselves, but without using regulated weaponry to do so. Guns and other firearms are outside the scope, as are other sharp-edged

and deadly weapons such as swords, sword-sticks, daggers, bayonets, spears, lances, javelins, battle-axes, knives, *kir-pans*, *khukries* and blades longer than nine inches or wider than two inches, all of which are regulated under the Arms Act.

What, then, is left to a person for self-defence? There are accounts from Indian history that extol how sweet sellers standing on the ramparts of their home fortresses poured boiling mixtures of oil and sugar on invading soldiers, and how women used chilli powder to similar advantage. But such apocryphal stories aside, there is little left with which to protect oneself during a riot, save sticks and stones and, potentially, fierce pets.

THIS BRINGS US TO THE FINAL CASE, involving stones, a barking dog and a millennia-long genocide. On 19 April 2010, in a small village called Mirchpur in Haryana's Hissar district, a dog happened to bark at a group of inebriated men passing by. The dog belonged to a Dalit family in Mirchpur. The inebriated men were Jats. Unable to tolerate this insult, the Jat men started a fight with the owners of the dog and eventually left after threatening severe retaliation.

Two days later, on the morning of 21 April, a mob of over a thousand Jat men attacked the cluster of houses where 120 Dalit families lived. They came with lathis and canes, stones and axes, kerosene cans and petroleum jelly. Eighteen houses were destroyed, several dozens injured and two people—an elderly man and his handicapped daughter—were burnt to death. The majority of the Dalit community had to flee their homes.

During the trial before a district court in Delhi, the defence sought to portray the violence as a two-sided altercation in which both communities took part. The caste angle was downplayed, and the fact that some members of the Dalit community had resorted to pelting stones at the Jat mob was cited as evidence of this contention. Defence witnesses claiming that the Dalits had started throwing stones first were paraded before the court. Many of the prosecution's witnesses later turned



SAVITA KIRLOSKAR / REUTERS



hostile, and there were a number of lapses in the investigation by the police, which confounded the case. Submissions were also made that minimised the role of the dog, and instead exaggerated and fabricated violent conduct on the part of the Dalits against the Jat passers-by on 19 April, and other Jat men on the following day. Relying on these factors, the additional sessions judge hearing the case found that there was “brick batting/stone pelting by both groups” and that it “could not be ruled out that the incident of stone pelting took place in a heat of passion.”

Herein lies the fundamental problem with the exercise of self-defence in a riot, even where it is carried out with nothing more than stones: the victim who seeks to defend themselves can always be accused of participating in the

violence. Indeed, self-defence on a larger scale, such as that carried out by a group or a community, can be aggrandised to portray a unilateral attack as a two-sided altercation. The judgement delivered in *State vs Dharambir* in 2011, therefore, acquitted 82 of the 98 people under trial. Sixteen people were convicted of lesser offences: rioting, destruction of the property of a member of an SC/ST community by fire and culpable homicide not amounting to murder.

Seven years later, in *Kulwinder vs State*, the Delhi High Court found that many of the conclusions of the district court were incorrect and unwarranted. It held that the facts conclusively established the caste-based angle to the violence and that there was a clear conspiracy by the Jat aggressors to attack the Dalits in their village. Most

significantly, the court ruled, “The fact that members of the Dalit community were themselves throwing stones cannot be seen as anything other than them acting in self-defence against an organised and well-planned attack by the accused persons,” and all “attempts to characterize the incident as a mere dispute between individuals and not caste-based violence were futile.” The acquittals of 20 people were reversed by the court on this basis, and the court ordered the state government to ensure the rehabilitation of the victims. It must be noted here that the appellate judgement was penned by Justice S Muralidhar, who also passed four orders on 26 February 2020 that were essential in checking the indifferent attitude of the Delhi Police towards the ongoing riots.



AMIT MEHRA / EXPRESS ARCHIVE

ABOVE: Tara Chand, a 70-year-old man, and his teenage daughter were burnt alive by a mob from the Jat community, in 2010, in Mirchpur. The majority of the Dalit community had to flee their homes. Self-defence on a larger scale, such as that carried out by a group or a community, can be aggrandised to portray a unilateral attack as a two-sided altercation.

This case and the judgement of the trial court establish how easily acts of self-defence are interpreted to be acts of rioting. Indeed, procedural rules pertaining to the trial of riot cases specify that there is no question of self-defence in the context of deliberate and provocative two-sided fighting. Moreover, in most trials, individual incidents are segregated and tried separately, thereby segregating them from the overall causal linkages and prevailing atmosphere, which is inherently important in determining whether an action was reactive or intended to defend or, on the other hand, a riotous act of violence.

The Mirchpur case illustrates how an act as basic as throwing stones at a riotous mob intent on assaulting one's family and neighbourhood can be sufficient for the courts and law enforcement agencies of this country to turn a victim into an offender; it took a special judgement by a rare judge to reverse the injustice in the matter. This is especially relevant considering the recent Delhi violence, where a number of people were accused of rioting on account of the recovery of sticks and stones from their homes.

THE SANCTITY OF A PERSON'S HOME, and their right to defend that home against all others, has long been recognised as a basic human entitlement. This principle, known in many jurisdictions as the "castle doctrine," forms the basis for many basic human rights, including the right to privacy. It was judicially expressed in 1604 in the landmark English common-law case *Peter Semayne vs Richard Gresham*, wherein it was held that "the house of every one is to him as his castle and fortress, as well for his defence against injury and violence, as for his repose."

Subsequent expressions include the famous speech given by William Pitt (the Elder) in the House of Commons in 1763, in which he stated that "the poorest man may in his cottage bid defiance to all the force of the Crown. It may be frail—its roof may shake—the wind may blow through it—the storm may enter, the rain may enter—but the King of England cannot enter—all his force dare not cross the threshold of the ruined tenement." This speech has been quoted numerous times by courts around the world in cases defending the right to privacy in a home, including by the Supreme Courts of India (in *KS Puttaswamy vs Union of India*, 2017) and the United States (in *Miller vs United States*, 1958).

Moreover, numerous countries around the world have enacted legislation that enhances the right of self-defence when exercised within or in order to defend one's home. Typical restrictions on the right of self-defence, such as a duty to retreat or an exactitude of proportionality of force, have

The unfortunate probabilities of our law enforcement and judicial systems mean that acts of violence can easily be disguised or portrayed as acts of self-defence, thereby enabling perpetrators to style themselves as victims.

been judicially held to not apply when a person is defending their home.

It is in this context that the case of Tahir Hussain must be considered. Hussain, the former Aam Aadmi Party councillor of Nehru Vihar, currently stands accused of being the mastermind of the 2020 Delhi riots and, inter alia, being responsible for the murder of Ankit Sharma, a staffer of the Intelligence Bureau who was murdered during the riots. His case remains pending before the trial court, and he has been denied bail repeatedly, primarily on the basis of the "ocular evidence" of the witnesses arrayed by the prosecution. The matter is sub judice, and this article makes no attempt to comment on his innocence or guilt on any of the numerous allegations. Yet, certain allegations made against Hussain and the conclusions drawn from them by the Delhi Police merit discussion in light of this analysis of the right of self-defence in a riot.

In the charge sheet filed in relation to FIR 65/2020 registered with the Dayalpur Police Station, the Delhi Police's allegations and conclusions against Hussain include the following:

that on 22 February 2020, just a day before the start of the violence in Delhi, he had withdrawn a licensed pistol from the Khajuri Khas police station, which had been deposited with the station on 7 January 2020. (This, according to the charge sheet, indicates that Hussain intended to use the pistol in the riots and participate in the ensuing violence.)

that a physical inspection of Hussain's home revealed a lot of stones, bricks, glass bottles containing petrol, and other materials. (This, according to the charge sheet, confirms Hussain's role in the conspiracy and his active participation in the riots.)

that Hussain had made 12 (twelve) calls to the police control room (PCR) between 24 and 25 February 2020. (It is asserted in the charge sheet that Hussain "deliberately made these

PCR calls to save his skin from legal complications in future.”)

that on the intervening night of 24 February 2020, he had shifted his family to his parental house in Mustafabad while he stayed back at his house at Khajuri Khas. (This, according to the charge sheet, “speaks of his evil intentions ... to keep an eye on the whole situation and stand with the Muslims against the Hindus.”)

Hussain’s lawyers have denied the allegations against him, and thus the specific facts of his case are not discussed here. However, consider these allegations in light of the specific circumstances leading up to the Delhi violence. For days prior to the violence, there was a clear and apparent build-up of communal tension. Right-wing groups and politicians gave incendiary speeches and promised violent action to remove protesters opposing the Citizenship (Amendment) Act from their nearby protest sites. Political leaders of the Bharatiya Janata Party even issued an ultimatum to the Delhi Police to clear out the anti-CAA protesters and also exhorted crowds to violence. The *Times of India* reported that, on 23 February, the Delhi Police was sent at least six alerts warning of possible violence and asking for deployment to be stepped up after the speeches by the politicians. Multiple alerts were also sent by the special branch and intelligence wing through wireless radio messages to the capital’s north-east district and the police brass. An NDTV report indicates that, on the same day, seven hundred distress calls were made to the Delhi Police Control Room from the north-eastern parts of Delhi. This rose to thirty-five hundred calls on 24 February and seventy-five hundred on 25 February, a huge majority of which went unanswered. There can be little doubt that fear and panic prevailed in the days preceding the violence.

In such a situation, where there is a clear and apparent threat to a person on the basis of his religion or community, the withdrawal of a licensed weapon from a police station for potential use in self-defence cannot independently be construed as an indication of intent to riot. Without actual evidence of rioting, merely seeking to retain a licensed weapon on account of a perceivable threat

“What does self-defence really mean in this country?” An answer that is acceptable across the board, from all levels of law enforcement to all levels of the judiciary, is urgently required.

is insufficient evidence of a conspiracy to incite violence. Even the singular charge that survived in the Sanjay Dutt case, of a violation of the Arms Act, does not arise in a situation where the weapon is licensed and lawfully withdrawn.

Similarly, depicting as rioting the use of bricks and stones—or even bottles of petrol and other household items—to defend a home that is under attack is an affront to the very concept of self-defence under the IPC, though such portrayals are not unique to the Delhi riots cases. In its closure report on the 2002 Gujarat riots, filed in 2012, the Special Investigation Team headed by RK Raghavan stated that the Gulberg Society massacre occurred because the mob of ten thousand people outside the residential complex had been provoked by Ehsan Jafri’s firing. This was reiterated by the SIT special court in 2016 when it held that the firing by Jafri was what infuriated the mob and led to the killing frenzy (the court also noted that this did not justify the acts of the mob). Witness statements—claiming that Jafri had fired only after the mob carrying weapons, ropes, petrol and even gas cylinders had scaled the compound walls and begun to slaughter, rape and pillage—were outright ignored.

While there is, of course, vast potential for the misuse of the right of self-defence, it is important to recognise that the exercise of self-defence within the threshold of one’s home should neither be artificially limited nor weighed according to “golden scales.” The Supreme Court has, in several cases, applied the principles of the castle doctrine. In *Munshi Ram vs Delhi Administration*, in 1968, it held that “Law does not require a person whose property is forcibly tried to be occupied by trespassers to run away and seek the protection of the authorities. The right of private defence serves a social purpose and that right should be liberally construed. Such a right not only will be a restraining influence on bad characters but it will encourage the right spirit in a free citizen. There is nothing more degrading to the human spirit than to run away in the face of peril.”

The IPC is categorical in stating that there is no right of private defence in cases in which there is time to have recourse to the protection of the public authorities. Yet, when the public authorities are either unresponsive, unhelpful, or active participants in the violence, it is a travesty if basic attempts to prepare for self-defence are subsequently held illegal. Tarun Sagar, the social activist who organised relief work in north-east Delhi with ANHAD, said that “the Delhi Police was complicit in the violence, and has completely changed the narrative of the North-east Delhi riots. They broke CCTV cameras at crucial junctions, and witnesses recount how they joined

BELOW: Demonstrators at an anti-CAA protest in Jaffrabad, in February 2020. For days prior to the Delhi violence, there was a clear and apparent buildup of communal tension. Right-wing groups and politicians gave incendiary speeches and promised violent action to remove protesters opposing the CAA from their nearby protest sites.



SAJJAD HUSSAIN / AFP / GETTY IMAGES

hands with rioters. A majority of the calls to Police stations remained unanswered from 23 to 26 February, and the investigation since has been completely partisan. Many victims were afraid of getting their MLCs—medico-legal certificates—“and even volunteers who helped them with paperwork were harassed by the police officials.” In such a scenario, to question the retention of a licensed weapon, or the presence of bricks and rubble in a house that was under attack, is absurd.

On the other hand, the potential for abuse of the right of the self-defence

is a significant issue that cannot be ignored. The unfortunate probabilities of our law enforcement and judicial systems mean that acts of violence can easily be disguised or portrayed as acts of self-defence, thereby enabling perpetrators to style themselves as victims. In December 2021, a group of religious leaders organised a congregation in Haridwar and called for genocide against Muslims and other minorities in India, in the guise of self-defence of the Hindu religion. They indulged in hate speech and exhorted people to gather weapons,

undertake arms training, and carry out an ethnic cleansing; all under the purported need to defend the Hindu faith from fellow citizens belonging to other religions. No meaningful action has been taken against any of the organisers or perpetrators of this event, at the time of writing.

These circumstances bring us back to Ayub’s question: “What does self-defence really mean in this country?” An answer that is acceptable across the board, from all levels of law enforcement to all levels of the judiciary, is urgently required. ■





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BOOKS

DREAMS DEFERRED

Black lives in Indian literature of the Bandung era



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/ LITERATURE

POORNA SWAMI

IN 1963, the Indian People's Theatre Association put on a play. Like most plays by the ideologically left-wing theatre group, this one, too, was about freedom. Since its inception twenty years earlier during the Indian freedom struggle, IPTA had been performing stories of revolution that were set in a young India that was fighting against, or just about free from, British rule. But this new play stood out in one crucial way. Located far away from home, it was not about India at all. It was about the Mau Mau uprising of the 1950s, in which the Kenya Land and Freedom Army led an armed revolt against colonial rule. This struggle was met with violent repression from the British, who set up prison camps where an estimated hundred and fifty thousand Kenyan prisoners were subjected to extreme physical torture and sexual abuse. And, although the Mau Mau campaign was eventually quelled, it played a significant role in helping Kenya gain its independence in 1963.

Performed the same year Kenya was freed, IPTA's play about the Mau Mau rebellion was originally written in English by the Kenyan-born Indian actor Zul Vellani, who titled it *The Flaming Spear/No Other Way*. The

script was then translated into Hindi by Vishwamitter Adil and performed in Bombay by IPTA as *Africa Jawan Pareshan*—African Youth in Distress. But unfortunately, we know very little about what happens in the story. Both the English and Hindi scripts seem to be lost, and when I reached out to people who had seen the play more than fifty years ago, they could not precisely recall its plot.

Broadly, the play revolves around a family that belongs to the Kikuyu clan, Kenya's largest ethnic group, which also spearheaded the Mau Mau campaign. The main conflict of the story emerges from the political differences among the family members on what kind of path Kenya should take to freedom. But even though it is difficult to know more about who the exactly the characters were or how the scenes went, there is a small but telling archive. It is a handful of photographs from the play's Hindi staging. I discovered the pictures with the help of my aunt, who, like my grandparents, has been a member of IPTA herself.

At first glance, these black-and-white photos seem unremarkable. But a closer look at each frame makes clear that the actors of *Africa Jawan Pareshan* donned

neither their natural hair nor their true skin colour. Each of the brown-skinned Indian actors seems to be wearing a tufty black wig made of some kind of matted wool, and their faces, arms and legs are smeared with dark-hued paint, likely in an attempt to make them look "African." To put it bluntly, IPTA's actors performed their play in blackface.

Today, blackface is understood as part of a long and cruel history of racist performances, especially American minstrel shows of the nineteenth century. In these sketches, white actors darkened their skin tone and altered their features in grotesque ways to supposedly look like enslaved Black people, whom they portrayed as hyper-sexualised and stupid, and of poor character. But it is important to remember that, when IPTA's actors painted themselves to perform *Africa Jawan Pareshan*, they likely did not intend to parody or caricature. By becoming visibly black in order to preach the message of Kenyan independence, they intended to perform in solidarity. In fact, recollections from former audience members and press clippings suggest that the play, on the whole, was rather well received. One critic in *The Times of India* went so far as to call it a "grand success."

Such—at times misguided—enthusiasm for the African cause was not a stand-alone event. From the 1950s onwards, there was in India and other parts of Asia a wave of political sympathy for African liberation. Novels, poetry and non-fiction in languages such as Urdu, English, Hindi and Bengali called for newly independent India to aid its African brethren in moving beyond colonial rule. But it was not simply a matter of India, a recently independent country, reaching out to others who were striving for similar freedoms. In negotiating ideas of a shared future beyond colonisation, these Indian literary works also openly wrestled with race—that is, with how black and brown might speak to each other, without the white man as an intermediary.

Some works even seem to have gone beyond the confines of the British Empire to look at Black rights in the United States. The 1968 Bengali play *Manusher Adhikare*—The Rights of Man—by Utpal Dutt, for instance, fictionalises the Scottsboro trials of the 1930s, but within the frame of the Black Power movement of the 1960s. In doing so, it pairs contemporary race politics with a crucial moment in America's history of racial injustice. And it does this for a regional Indian audience, the vast majority of whom had probably never set foot in Africa or the United States. Dutt's project here was clearly one of propaganda. The Black defendants in the Scottsboro case were given legal support by the Communist Party USA, while the Black Power movement was unabashedly militant in nature. By bringing them together, then, Dutt seems to have been playing upon his Bengali audience's anti-American sentiments in light of the Vietnam war. And by deliberately choosing these particular events in Black history, he seems to have been championing a communist politics that was very similar to the Naxal peasant struggle emerging right at home, in Bengal.

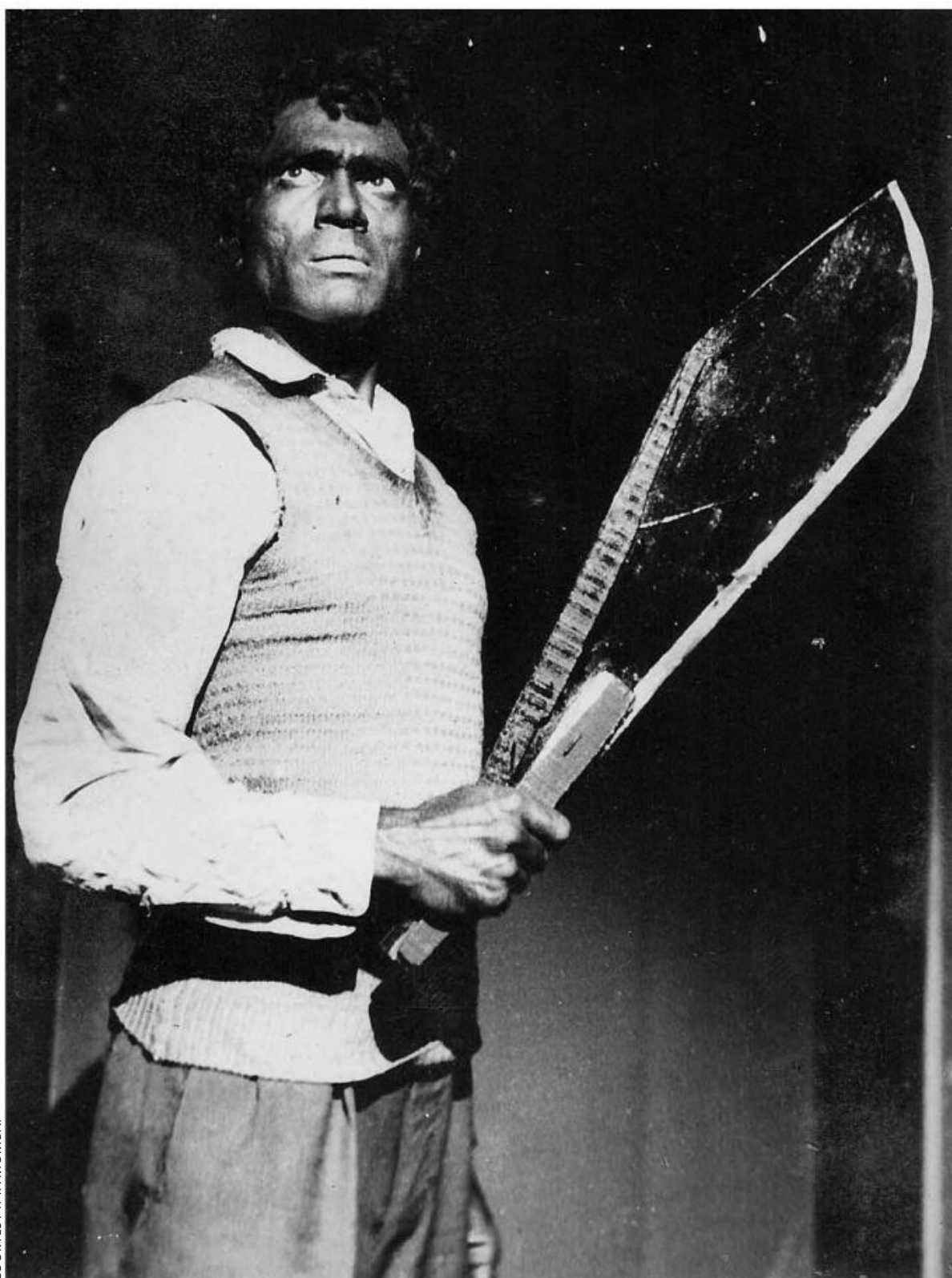
African liberation, and Black liberation more broadly, then, seem to have been for several Indian writers of the period a kind of political muse. And Africa was that imaginary terrain upon which writers both argued for a progressive politics of racial solidarity and

also drove more local political agendas that had little to do with African or Black emancipation. But not everything about this rose-tinted vision is as it seems. In *Africa in the Indian Imagination*, the historian Antoinette Burton says that Indian writers tended to think of Africa only in terms of India, as “a pillar of Indian identity: a buttress that [gave] definition to Indianness and that [gave] Indians in turn, their local, regional, national, and global significance in the late 20th century world.” Even as Indian writers tried valiantly to promote their own radical brand of solidarity, most also unwittingly exoticised their Black characters. Despite their best intentions, they simplified Black peoples into emblems meant to educate

the Indian public, essentially reducing them to ideological devices in blackface.

THE SWELL OF INDIAN SUPPORT for Africa, Africans and African-Americans in the 1950s and 1960s was not an overnight happening. Impassioned assertions of an Afro-Asian future had already been in the making for a long time and would continue to find renewed articulations, as in the caste-race alliances of the 1970s between the Dalit Panthers and Black Panthers, whose connections have recently been drawing attention again in contemporary activism.

Pan-African leaders, including Paul Robeson and WEB Du Bois, had been in touch with leaders of the Indian national movement much before India



COURTESY IPTA MUMBAI

successfully gained independence in 1947. Du Bois, who was perhaps the staunchest advocate for racial solidarity against colonialism, even saw Asia as a twin to African and African-American freedom. According to him, India had a special role to play in attaining this freedom. In a 1965 essay titled “India,” Du Bois wrote:

The problem of the Indians can never be simply a problem of autonomy in the British commonwealth ... They must always stand as representatives of the coloured races—of the yellow and black peoples as well as the brown—of the majority of mankind, and together with the Negroes they face the insistent problem of the assumption of the white peoples of Europe that they have a right to dominate the world.

The kind of unapologetic Afro-Asian solidarity that Du Bois had been advocating for decades finally crystallised in 1955, when representatives from 29 African and Asian countries came together in Bandung, Indonesia. Some years later, they formally formed the Non-Aligned Movement against the two superpowers of the time: the United States and the Soviet Union. Against the backdrop of the Cold War, this diplomatic gathering gave concrete definition to the idea of a “Third World” outside European domination and marked the birth of a global postcolonial politics; the period of heady, cross-cultural fraternity that followed is today referred to as the “Bandung era.” And it is in this very era that we see a burst of Indian literary works that speak about, or even on behalf of, Africa.

But these works are not simply a celebration of international and inter-racial solidarity. Read together, they actually reflect how relations between India and Africa remained messy and precarious throughout the Bandung era. At the heart of that discomfiture were the political aims of the Indian state, led by its first prime minister, Jawaharlal Nehru. One of the major architects of the Bandung conference, Nehru launched exchange and development programmes for African students and professionals in India. And yet, he saw India as a new postcolonial empire, one that could lead Africa to emancipation and teach it to be postcolonial in the “correct way.” Beyond its veil of friendship, then, the Nehruvian project bore towards Africa a civilising impulse, one that sought to establish India’s economic and political dominance over Africa as a whole. (Incidentally, Nehru even drew sketches of his fellow delegates at the Bandung conference for Edwina Mountbatten, describing two individuals from the Gold Coast as “hefty and giantly persons.”)

Mirroring such contradictions, the literature produced in India during the Bandung era is studied with Nehruvian biases—especially when it

comes to race. Across texts that stand for the Nehruvian project and against it, the Indian writer’s failure to genuinely account for Black personhood constantly rubs against all gestures of solidarity. The non-fiction works of the period are particularly telling. On the one hand, they desire to “explain” Africa to the Indian public but, on the other, they fall back on clinical language that renders African countries pawns in a larger game of political strategy and that depicts Black Africans as anthropological specimens.

THE 1960 NON-FICTION BOOK *Africanism: The African Personality* by Suniti Kumar Chatterji, a linguist, opens with a glowing foreword by the former president Sarvepalli Radhakrishnan, who says the book aims to foster “racial harmony” and a “better understanding of African peoples, their art and culture.”

This foreword is followed by quotes from a number of Nehru’s speeches between the 1930s and the 1950s, all of which describe the importance of sympathising with African suffering and an African future. Chatterji, who describes his own book as the outcome of a “great love for Africa,” then spends the following five chapters talking about the need for “Africanism”—an ideology to give the diverse peoples of Africa a unifying identity. Africanism, he argues, will enable Black Africans to make sense of their past and work towards a collective future beyond colonial rule. He also describes in some detail the artistic, religious and performance traditions of a few different ethnic groups, before concluding with a dry travelogue of his three-month long African sojourn in 1954, during which he interviewed African leaders, workers, Indian merchants and colonial administrators.

Chatterji genuinely wants to build for his Indian readers a sense of African glory by demystifying African culture. He even makes a concerted effort to refer to the work of contemporary African scholars when talking about a liberated African future. But, in his attempt to argue for solidarity with Black peoples in Africa, he draws on a bizarre combination of theology and racial categorisa-

PREVIOUS SPREAD: Indians protesting against apartheid in South Africa, in 1960 in New Delhi, after the Sharpeville massacre. Africa was that imaginary terrain upon which Indian writers both argued for a progressive politics of racial solidarity and also drove more local political agendas that had little to do with African emancipation.

OPPOSITE PAGE: A scene from the play *Africa Jawan Pareshan*, performed by IPTA. It revolved around a family that belongs to the Kikuyu clan, Kenya’s largest ethnic group, which also spearheaded the Mau Mau campaign. A close look at each frame makes clear that the actors donned neither their natural hair nor their true skin colour. To put it bluntly, they performed in blackface.

In the “Bandung era,” we see a burst of Indian literary works that speak about, or even on behalf of, Africa. But these works are not simply a celebration of international and inter-racial solidarity. Read together, they actually reflect how relations between India and Africa remained messy and precarious throughout the period.

tion that undercuts his moves towards friendship and empathy.

“The ‘Negro,’ or the Black Man of Africa,” he writes, “is one of the three main or basic types of Humanity.” The other two, he says, are “the White or Caucasoid Man (including also the Brown)” and the “Yellow or Mongoloid Man (including the Red Man of America).” Later, he says that Africanism for the Black Man of Africa would be akin to “Hebraism,” “Sinism” and “Arabism”—specific attitudes towards life, embraced by Jewish, Chinese and Muslim people respectively through their scriptures. Although this kind of theorisation would, by most accounts today, be considered plainly incorrect, Chatterji conducted his research at a very different period in history. More than the obsolete nature of Chatterji’s argument, it is jarring that he seems so insistent on relaying an accurate picture of Black Africans to his Indian readers that he fails to consider those Africans as people with any subjective experience.

Ironically, in this telling, Black people often become museum pieces, valuable to the world only because of their beautiful arts and language traditions. Chatterji seems to say that Indians should transcend their racial biases because of the richness of Black Africa’s heritage, rather than because of the inherent dignity of Black life. Moreover, by equating racial difference with cultural, even psychological, distinctiveness, he reinforces the idea that people of different races are fundamentally different, and reiterates existing racial hierarchies in which the Brown Man is a variation of the White Man.

While Chatterji professes a kind unwavering cultural reverence towards Africa, his book is also filled with directives about what Black Africans must do, for not just the betterment of themselves but also of the world. Between his collage of factoids, he repeatedly calls on Africans to embrace the splendour of their own past and rise out of “darkness”—essentially, he instructs them on how to achieve “progress.” He writes, “Lovers of Man everywhere are waiting with a great amount of interest and expectation the full realization of their Personality and the formulation of the

African Way by the thinkers of present-day Black Africa.” Although his readership is squarely Indian, and he uses Hindu scripture to justify compassion towards African lives, he does not really address what role Indians have to play in all of these developments. By aiming his didacticism towards an imagined Black subject, then, he practically absolves the Indian reader of any real labour towards inter-racial solidarity.

Chatterji says early in the book that those who have wronged Black Africans must atone for their actions but does not include Indians in that charge. He narrates how relations between Black Africans and immigrant Indian businessmen are entirely cordial, saying that different African individuals spoke to him in “glowing terms about India.” At one point, he even seems to uphold colonial logic, saying that the “African Man is ... rousing himself from the sleep and stupor of ages” precisely because he has “taken his lesson from his contact with the peoples of the West.” In such frequent and implicit ways, then, Chatterji skews the reality of Black–Indian relations, which other works of literature by Indian writers and African writers such as Ngugi Wa Thiong’o suggest were actually perforated by Indian racism. Despite harping on about the oneness of mankind, Chatterji ultimately sees Black Africans as a population that needs to be saved and guided, certainly in part, if not entirely, by Indians.

The idea that Africa was unsure of itself and needed to follow India reappears five years later in another African travelogue, this one by the Indian journalist Frank Moraes. Called *The Importance of Being Black*, the book covers Moraes’s four-month long journey in 1960 to different sub-Saharan countries. Although he only dips in and out of the places he visits to give his overarching impressions, Moraes bolsters his meandering tome with historical references, political analyses and interviews. He says the book might have an “exotic interest for Europeans and Africans,” though he hopes that his fellow Asians would also be “intrigued.” Undeniably, he aims to write a definitive work on the position of Black Africa for outsiders.

Unlike Chatterji’s book, which drew on art history and philosophy to make

its argument, Moraes’s book examines contemporary economic and political changes to talk about the importance of Africa and its Black peoples on a world stage. He frequently makes comparisons between Africa and Asia at various levels, coupling the Indian National Congress with the Arab League, and African tribal divisions with the Indian caste system. For instance, he writes, “As an Indian I was intrigued by the fact the Arab League, like the Indian National Congress, was partly a British creation and motivated by the same aim, to develop a form of nationalism or integration beneficial to Britain.” Against such sketchy and fleeting parallels, Moraes emphasises the political benefit of Afro-Asian cooperation in what appear to be Nehruvian terms:

In the world context the Afro-Asian relationship is as important, if not more vital, than the relationship between Africa and Europe, for together Asia and Africa represent nearly two-thirds of the world’s population, the overwhelming majority of it on the bare borderline of existence and linked with each other emotionally by the memory of a common bondage over long years to the West.

But while he underscores Afro-Asian kinship through the lived memory of colonisation, Moraes also drives attention to the ruptures between Africa and Asia. He writes that African countries seem to have achieved freedom from colonisation much more quickly than Asian countries, which, he argues, has created an Afro-Asian rivalry when it comes to economic relations with the West. Yet, he seems to hold Africa responsible for being belligerent and not truly embracing a fraternal future. “Only in the realm of culture and civilization does Africa lag behind Asia,” he writes, implying that Africa must necessarily look towards India to achieve real political and economic progress.

It is not as though Moraes is actively peddling racist views. Indeed, he wants to do quite the opposite and spends a great deal of time addressing ideas of Negritude and African pride. “In fairness to them I must say that the assertively conscious feeling of superior-



AP PHOTO

ity shown by some Asians explains, if it does not excuse, the African's aggressiveness," he writes. While on the one hand, Moraes is a step ahead when he openly acknowledges Asian racism towards Africans, he periodically returns to the notion that Africa, at the end of the day, could behave better: "Africa, uncertain of its own place, tends to draw attention to itself by alternately brawling like a neglected infant, or in its adult moments treading deliberately on other people's toes or, more aggressively, punching the nearest nose within reach." It is striking that a book claiming to explicate the "importance of being Black" takes on this kind of patronising and dehumanising tone every few pages.

To his readers, Moraes seems to justify his harsh stances by claiming to take on the role of a neutral observer. By admitting the shortcomings of both sides, as it were, he wants to write an impartial analysis of current affairs. A 1965 review of the book in the *New York Times* says that, because Moraes writes about white-black relations from an Asian perspective, his analysis bears an "uninhibited and welcome frankness." But Moraes's so-called objectivity is really no

more than a self-propagated myth. As Du Bois astutely observed, "India has had the temptation to stand apart from the darker peoples and seek her affinities among whites. She has long wished to regard herself as 'Aryan' rather than 'colored.'" Moraes, despite his sincere efforts, falls into this kind of trap. Although he calls Europe the "main exploiter" and Asia "its abettor," he remains cautious of how Black Africans might choose to articulate their blackness. He advocates collective identity through brands of nationalism rather than assertions of race. "Pan Africanism," he writes, "is an expression of race-consciousness, but negritude veers dangerously close to the concept of racialism." Even as he openly calls for Black Africans to take their place among the "people of the world," then, it is hard to shake off the impression that he fears their rise, especially if they defy the terms for the postcolonial, global future envisioned by India.

NOT ALL INDIAN WRITERS were oblivious to Indian society's racial biases and superiority complexes. Where these works of non-fiction teetered on the edge of progressiveness, only to reinscribe reign-

ABOVE: Jawaharlal Nehru and Indira Gandhi at the final session of the Afro-Asian conference at Bandung, Indonesia, in 1955. One of the major architects of the Bandung conference, Nehru launched exchange and development programmes for African students and professionals in India. And yet, he saw India as a new postcolonial empire, one that could lead Africa to emancipation and teach it to be postcolonial in the "correct way."

ing Nehruvian perspectives, fiction seems to have been a way for some writers to push back against nationalist narratives of solidarity. Chanakya Sen's 1973 novel in English, *The Morning After*, for instance, is a blatant critique of Nehruvian claims to Afro-Asian solidarity. Based on Sen's 1960 Bengali novel *Rajpath Janpath*, and described by him as a "non-Novel," this English book wants to use fiction as a veneer to relay what it argues are the uncensored realities of Afro-Asian relations in India.

Early in the novel, Sen begins to tear down the Indian government's African-students scheme through his protagonists. The first protagonist is Solomon Kuchiro, a Ugandan student and poet who is studying at a university in Delhi. He is invited to live with the family of a civil servant, Shukdev Sharma, who is the model employee of the Nehruvian government. Shukdev finds no faults in India's ways and attitudes, and believes that African countries should follow the political path set out by Indian nationalist leaders like Nehru and Gandhi. Although Shukdev, time and again, explains to his conservative wife that "A Negro is not very different from anyone else," he seems to

Africa was that imaginary terrain upon which Indian writers both argued for a progressive politics of racial solidarity and also drove more local political agendas that had little to do with African emancipation.

be espousing that view only because it has been sanctioned by the state.

It quickly becomes clear that Solomon, despite being the revered guest, has little agency within the Sharma household. He laments to a fellow African, "I must present myself as the sacrificial goat for a ... lecture on the greatness of Gandhi et al ... don't worry, Africa is black enough, I couldn't make it blacker, not to my Indian hosts." At the same time, Solomon is seen by his Indian hosts as a sexual threat towards their college-going daughter Sheila. When she becomes infatuated with him and runs away from home, the Sharmas' worst fears seem to come true.

Both Solomon and Sheila, then, despite their differing races and national identities, seem to be oppressed by Nehruvian social codes. Although Sheila is the daughter of a civil servant who preaches Nehruvian ideas ad nauseam, she is prevented from keeping "Bandung company." Her mother fears that she has too many "queer friends ... all sorts of Persians and Arabs and Burmese and Indonesians, and who knows, African Negroes." Moreover, even among Indians, she must abide by

strict class divisions. According to her mother, most of Sheila's Indian friends are "quite beneath her status."

The literary scholar Auritro Majumder, whom I corresponded with over email, said that *The Morning After* is a radical work that arises firmly from outside the Bandung moment and reflects how the idea of the Third World was consistently contested from within. In fact, Chanakya Sen was associated with the pro-Maoist China faction of the Indian communist movement, and his politics, Majumder wrote in a paper, evolved from "global lineages of organized Marxism" rather than subscribing to a nascent Third World-ism. Indeed, Sen does make valid critiques of the Indian state's vision for Africans and Indians alike. Sen mocks, for instance, Shukdev's conflation of Uganda and Kenya, and how he buys into lopsided media narratives about Mau Mau violence. But on closely reading the text, not every half-baked stereotype employed in the novel appears to be self-aware or ironic. In doggedly arguing for a radical communist politics over temperate Nehruvianism, Sen essentially uses the idea of Afro-Asian solidarity for his own political agenda.

The second protagonist of the novel, a Kenyan revolutionary named Peter Kabuku, is disillusioned by the Indian state, especially when he gets an Indian woman pregnant but suspects she was a government plant in the first place. Although Sen wants us to sympathise with Peter's plight, his depictions of Peter's interiority are often sexualised and animalistic. For instance, when Peter dreams of the woman, who is "light-brown, creamy ... taunting," he wants to "strangle this woman ... to death, and rape the corpse."

Sen wants to imply that Indian neocolonialism is driving Peter to beastliness. But, in doing so, he ends up reducing the Black man to his sexuality, devoting pages to Peter's wet dream about his wife back home and also to his sexual encounters with the Indian woman. The stereotype of the Black man's large penis and lion-like prowess colours these descriptions. In the scene of Afro-Asian intercourse, Sen writes, "Each time she made him force his way inside her body, and he felt like a king planting his standard on the soil of a vanquished land. He roared as he went into her body, he roared as he ploughed her endless mystery." While one could argue that it is the woman who is viewing Peter in this reductive way, the narrative is clearly relayed by an omniscient narrator who, in this description, is certainly not taking on the woman's gaze. And so, we are left with a depiction of Black masculinity that is only tenuously different from the very imaginations the novel critiques.

But the failure of some texts to truly live up to their dreams of solidarity does not undo a fundamental truth about this period in history: this was

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a time when hope was fermenting, and that hope took on different textures and expressions. *Dharti ka Kaal*, a 1961 collection of Urdu short stories by Joginder Paul, offers an honest critique of Indian racial superiority while also making a tender call for truer Afro-Asian solidarity. Titled *Land Lust* in its 2019 English translation, this remarkable collection is set in 1950s Kenya and spans urban and rural Kenyan life, speaking of the day-to-day interactions between Black natives and Indian settlers.

In a story called “Multiracial,” an Indian man addresses a recently formed organisation, the Multiracial Society, which hopes to draw up a future of racial cooperation in Kenya. “Tell me, who do we refer to when we talk of race?” he asks. “Are not the African, European, and Asian people bound to each other for their welfare in this glorious country?” The rest of the conference passes predictably, with other impassioned declarations about racial equality by Asian and white men. When lunchtime arrives, however, the Indian speaker takes his break with a fellow Asian. They walk into a bar, when he notices something amiss. “This appears to be an African bar,” he says, “Let us go and sit in our bar.” In one brief, quick-witted sentence, Paul breaks through the facade of Indian benevolence and exposes the redundancy of the Afro-Asian dream as it stood then. No matter their political rhetoric, Paul implies, the everyday relationships between Indians and Black Africans were far from congenial.

Paul is insistent on giving his Indian readers a sense of “real life” in Kenya. He mixes his Urdu with generous doses of Swahili, forcing his Indian readers to meet their African brethren in a complicated, situated world, rather than an ideological one. And, although most stories in *Land Lust* focus on Black Kenyans and oppression they face, Paul never strips these characters of their personhood. In a charming story called “Kameena”—Rascal—an Indian couple is approached by a Black local, Jeepu, who wants to buy their run-down car for the unthinkable sum of sixty-five hundred shillings. As Jeepu keeps talking, the Indians are convinced that he is a genuine buyer, but an ignorant one

onto whom they can palm off their ramshackle car at an inflated price.

Jeepu says that he does not have all the money on hand, so all three of them set out to Jeepu’s hotel to collect the cash. As they drive into the hotel’s neighbourhood, the Indian wife says to her husband, “This wretched fellow has brought us into the black area ... I am wearing ten gold bangles and a necklace.” But the husband, greedy for the money, reassures his wife that things will be fine. After fetching the money from the hotel, the three continue driving, this time to get the paperwork sorted for the sale. Along the way, the couple begins to dream up all the things they will buy with the money.

Jeepu then asks to stop the car, saying he wants to call a cousin who lives nearby to see what will soon be his new vehicle. But, a few minutes later, the Indians realise there is no sign of Jeepu; it would seem that he has left them hanging in the middle of the market, with no sale or money to speak of. By rendering Jeepu a trickster in this way, Paul accords him with a kind of rebellious power, one that allows him to achieve his aims against Indians, who would willingly exploit people like him. Moreover, by using the trickster figure in a monetary transaction specifically, Paul deftly makes the larger point that India’s real interest in Black Africans is not one of shared community but of economic gain.

Yet, it is refreshing that the Black characters in *Land Lust* are not morally pristine counterpoints to exploitative Indians. At different moments, Paul’s Black figures express a range of experiences, from kindness to rage to dejection. In the title story, a group of Black labourers grieves for the land they till at the foothills of Kilimanjaro. They wonder why their god gave away their land to the *wazungu*—the white people. Through the frame of an intimate storytelling session among the labourers, Paul then riffs on a creation myth to ask when, if ever, the natives will get back their land. One character laments, “now we’ll have to build our homes only on the moon and the stars. There isn’t even a span width of space left for us here.” In Paul’s writing, Black characters are allowed to ask these questions, to voice

their grief as well as the hazy contours of their own dreams.

Perhaps the delicateness with which Paul approaches race and race relations owes to the fact that he actually lived in Kenya for a period of time. A refugee of the partition, Paul married a Kenyan Indian woman in 1948, on the condition of moving countries. With a lived experience of the racial and economic contradictions embedded in Afro-Asian solidarity, then, Paul attempts to give his Indian readers a more humanising lesson. By writing his Black characters as people, rather than as political symbols or anthropological archives, he makes a serious demand for Indians, both in Africa and India, to confront their racial biases—not because of nationalistic obligation, but because of a human ethics.

Land Lust, along with its contemporaneous—and perhaps less nuanced—texts, offers an instructive literary archive, especially for South Asian readers. Here are works that risk exploring cultures and people they do not fully understand but long to stand with. Flawed and faltering though they may be, they hold a lesson in allyship that is perhaps as relevant today as it was sixty years ago. And yet, these same stories also point to a darker and more complicated history between India and Africa, one that the texts themselves do not fully acknowledge. In 1919, for instance, the East African Indian National Congress approached the League of Nations, asking that Tanganyika (in present-day Tanzania) be reserved for “Indian colonization.” Five years later, the Indian independence activist Sarojini Naidu too backed this claim in a speech to the EAINC, arguing that East Africa was a “legitimate Colony” of Indians and their economic efforts. Although Indians of the Bandung era imagined themselves to be kindred with Africans, their literature mostly evades this truth—that India had long related to Africa in colonial and racist terms. Riddled with racial and political blind spots, these texts then tend to fall short of the solidarity to which they aspired. Like India’s hard-peddled Bandung idealism, they too seem to unravel, only dreaming of an Afro-Asian future without wrestling with their own blotchy record. ■

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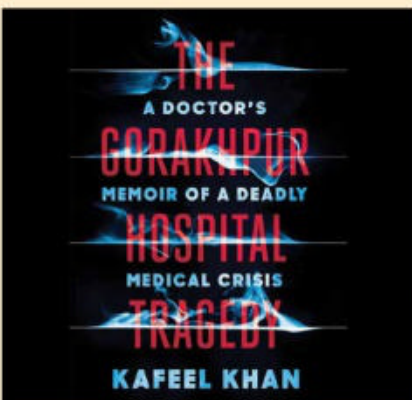
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KAHEEL KHAN



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VINAY SULTAN

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जलवायु संकट पर अमीर देशों और भारत के ताकतवर लोगों के भरोसे रहना बड़ी भूल

डॉ. प्रकाश कसवां



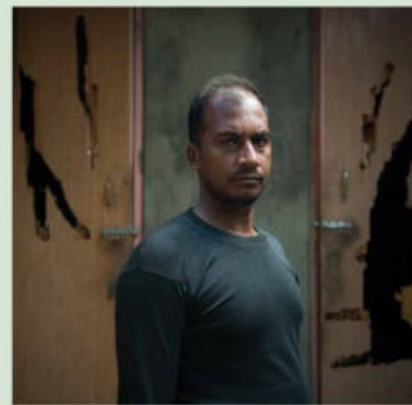
जायज नहीं किसान आंदोलन पर बेहिसाब उम्मीदों का बोझ लादना

हरतोष सिंह बल



झारखंड के सदियों पुराने महापाषाण स्थल पर मंडरा रहा खनन और औद्योगिकरण का खतरा

दीपांविता गीता नियोगी



त्रिपुरा से ग्राउंड रिपोर्ट : मुसलमानों के घरों और दुकानों पर हमले, लेकिन पुलिस का दवा कि स्थिति सामान्य

**किमी कॉलनी और
सीके विजयकुमार**



पंजाब सरकार का ड्रग्स के खिलाफ युद्ध का पाखंड

**प्रभजीत सिंह और
जतिंदर कौर तुड़**

Fruits of Labour

Revisiting Somnath Hore's Tebhaga diaries

SEVENTY-FIVE YEARS AGO, before he earned his renown as a painter and sculptor, Somnath Hore was dispatched by the Communist Party of India to document the Tebhaga Movement in the northern districts of Bengal. The movement took its name from the sharecroppers' demand to hold on to two-thirds of their produce, rather than the customary half. The struggle first started in north-western Dinajpur, where the sharecroppers began moving the newly harvested paddy to their own threshing floors. Within a few weeks, Tebhaga had spread to 11 districts. Still only in his second year of art school, Hore received directives from party leaders. On 17 December 1946, he boarded the North Bengal Express from Calcutta, armed with just a diary and pen.

The opening act of Hore's journey sets the scene for how the Tebhaga Movement would tug at the aesthetic and political imagination of the young artist. As the train rolls through golden paddy fields, Hore, seated in his stifling third-class compartment, encounters the first subject of his Tebhaga sketches: a Bhutia man wearing "a grimy shirt over a pair of tight pyjamas, a grimy jacket and an equally grimy cap." The scene comes to life when Hore's eye settles on the "inevitable kukri at his waist." His companion Kamaniya explains, "They work as gatekeepers for the local Marwari jotedars"—wealthy peasants.



/ POLITICS

ADITYA BAHL



FROM *TEBHAGA: AN ARTIST'S DIARY AND SKETCHBOOK*, COURTESY SEAGULL BOOKS

FROM *TEBHAGA: AN ARTIST'S DIARY AND SKETCHBOOK*, COURTESY SEAGULL BOOKS

In the next paragraph, Hore notes the tension between nature and property once again. His eye wanders across the lush countryside, “the fields a mingling of reds and blues, the trees a vivid green and the houses white or reddish.” But these tranquil undulations are suddenly interrupted by the appearance of a rice mill. “They have been set up by Marwaris,” Hore writes, “all over north Bengal. The Marwari traders buy paddy cheap to sell the rice dear.” Hore’s observations return from painterly abstraction to capitalist structures. Two decades later, the author John Berger would distil this discovery in the now-famous maxim: “Sometimes a landscape seems to be less a setting for the life of its inhabitants than a curtain behind which their struggles ... take place.”

Hore’s *Tebhaga: An Artist’s Diary and Sketchbook*, a collection of drawings and vignettes from his 12-day visit to the region, tears through this “curtain” and unveils the militant world of Tebhaga. It chronicles a young artist’s dramatic entry into a rural society

where everyone, “from the children of four to old people of 70,” suddenly became involved in some capacity in the movement. But the enduring significance of this diary does not stem from this political context alone. The trip also led Hore to innovate new forms to capture the lives of people involved in the Tebhaga uprising and reveal how structures of power are embedded into everyday peasant life.

WHEN THE SECOND WORLD WAR BROKE out, Somnath Hore was pursuing a Bachelor’s degree in science at Calcutta’s City College. Long marred by deepening poverty, Hore’s education was eventually cut short by the threat of aerial bombing by Japanese forces moving in from Burma. Part of a mass exodus, Hore fled the city and moved back to the coastal city of Chittagong. But Hore’s return only brought him closer to the war that he was trying to flee. In December 1942, the Chittagong port was brutally bombed by the Japanese air force. The bombs fell right next to Hore’s native village. Within

minutes, he was witness to hundreds of mutilated bodies and dismembered limbs. Unable to find words to capture the sudden carnage, Hore instinctively began drawing the dead.

Meanwhile, in order to halt the Japanese advance, the British colonial government adopted a scorched-earth policy. The authorities seized and moved all putative surpluses of rice to government warehouses. The historian Madhushree Mukherjee estimates that more than seventy thousand tons of rice was additionally exported to British warfronts between January and July 1943. In a further bid to deny any local transport to the Japanese army, the colonial authorities also confiscated, destroyed or relocated nearly seventy thousand boats, along with bicycles, bullock carts and elephants. Four successive crop failures had already occurred. The new colonial policy dismantled the fishing economy as well, along with the remaining resources for survival. As explosive shrapnel rained from the skies, a protracted wave of starvation and disease unfurled across

Bengal's lands. The famine wreaked immense havoc, eventually killing nearly three million people.

When corpses started piling up on the streets of Chittagong, Hore decided to join the Communist Party of India. The colonial ban on communists had been newly revoked, owing to the CPI's changed position on the war, which it had previously viewed as an imperialist endeavour but was beginning to see as a "people's war" against fascism. Even though the party's endorsement of the British war effort resulted in questionable responses to the famine—official circulars urged peasants to grow more food and criticised the starving masses for looting granaries, for instance—a new generation of young men and women still rushed to join the communist ranks.

Communist politics was infused into everyday life in Bengal. In a personal essay, titled "Wounds," Hore recalls how young children in Chittagong, including his own nine-year-old sister, acted as couriers for the party. Meanwhile, in Calcutta, communist women founded the Mahila Atma Raksha Samiti. This was a league of self-defence and mutual-aid networks that combined, as Ania Loomba writes in her book *Revolutionary Desires: Women, Communism, and Feminism in India*, the "social work" of "providing succor" with the "political work" of "raising consciousness."

Hore joined the CPI's cultural front. He started making hand-drawn copies and blow-up posters of the cartoons and sketches that were being published in the official party newspaper, *Janayuddha*. Many of these works were originally made by Chittaprosad, the official CPI artist, who soon took Hore under his wing. Recalling his initiation into the world of political art, Hore would later write that Chittaprosad "took me with him to the hospitals and through the roads and demonstrated with ink on paper how to draw the ill and the starving. I started drawing in my unskilled manner. I was provided paper and colors by the Party."

Before long, Hore's own work started appearing alongside that of his mentor, who, in turn, had acquired cult status as the author of *Hungry Bengal*,

a legendary account of the devastation of the Bengal famine. The book was widely banned during the war, and the police confiscated and burned more than five thousand copies—only two survived.

In response to this new wave of colonial repression, the CPI took art directly to the streets. It organised a series of public exhibitions across multiple villages and towns, where new works by visual artists including Chittaprosad and Hore were complemented by performances from cultural squads of the newly founded Indian Progressive Theatre Association. In her recent book *Partisan Aesthetics*, Sanjukta Sunderason meticulously recovers this forgotten episode in the history of Indian art. In 1944, at the eighth annual conference of the Kisan Sabha—the agrarian front of the CPI—bullock carts were used to set up a touring exhibition of famine posters that went all across the countryside surrounding Vijaywada in Andhra Pradesh. Additionally, more than 30,000 people passed through exhibition halls set up on the conference grounds. The following year, the conference, held in the Mymensingh district of northern Bengal, turned out to be an even bigger affair. A monumental bamboo stage was erected to showcase a series of theatrical performances featuring panels and posters by Chittaprosad.

This emerging counterculture tried to forge new sensibilities, often directly tied to communist activism. Its experiments, however, were not always successful, not least because the party often advocated a clear hierarchy between aesthetic and political practice. Instead of exploring new aesthetic forms and allowing artists to challenge the existing political consensus in open-ended ways, the CPI used art as just a means for achieving pre-determined political ends. At the time, this kind of politicisation of art was hotly debated in the public sphere. Consider, for instance, the chiding received by Salil Chowdhury's iconic song "*Kono ek gayer bodhu*" in the Bengali quarterly *Chaturanga*: "Listening to the composition gives one the feeling of reading an editorial of *Swadhinta*"—the CPI daily.

Still, the tensions between communist politics and art were always pregnant with possibility. In these years, the CPI also cultivated close ties with several emerging and established musicians, poets and artists—including Subhas Mukhopadhyay, Hemanga Biswas and Benoy Roy—encouraging them to travel across the countryside in order to expand their aesthetic repertoires and discover new audiences.

Towards the end of the war, Hore was sent back to Calcutta, where party functionaries urged him to formally study art at the Government College of Art and Craft. Later, when Chittaprosad

It is worth pointing out that, for nearly three decades, Hore's own diary had disappeared without a trace. Still, the timing of its belated appearance in 1981 was fortuitous.

ad moved to Bombay, Hore, still only in his second year of art school, was assigned the responsibility of documenting the upsurge of Tebhaga.

AS EARLY AS 1938, the Floud commission on land revenue had pointed out that a significant transformation was underway in the agrarian economy of colonial Bengal: there was a decisive shift of power from the zamindars, the traditional landowning class, to the jotedars, the intermediate tenure-holding rich peasants who leased out their outlying lands to sharecroppers commonly known as *bargadars* and *adhiars*. The sharecroppers were tenant farmers, who, as per the legal arrangement, had no tenurial rights and could be evicted at any time of the year. In addition to bearing all the costs of production, they were also forced to hand over half of their produce to the jotedars.

In the same year, the Bengal Tenancy (Amendment) Act removed the restrictions on the transfer of lands to non-cultivating classes. In the wake of successive crop failures, large numbers

of impoverished small peasants, already heavily indebted to the jotedars, were suddenly turned into sharecroppers. Between 1938 and 1944, the area under bargadar cultivation increased, while in some villages in the northern districts, nearly seventy-five percent of the peasant population was dependent on sharecropping.

In 1939, the Bengal Provincial Kisan Sabha, the regional agrarian front of the CPI, submitted an official memorandum to the Floud commission. This document tracked the long colonial history of agrarian transformation in Bengal—from the Permanent Settlement in 1793, when statutory landlordism was formally introduced in the region, to the recent spate of colonial legislations, which had enabled the rise of absentee landlordism and created a new clique of mahajan-jotedars—rich moneylender peasants. Despite its historical rigour, the document failed to make any real political interventions. Even as it recommended the abolition of the zamindari system, the memorandum, likely shaped by the political interests of the CPI's middle-class leadership, barely criticised the newfound power of jotedars over sharecroppers. Meanwhile, in contrast to this official reticence,

***Tebhaga: An Artist's Diary and Sketchbook* (published by Seagull Books), a collection of drawings and vignettes from Hore's 12-day visit to the region, unveils the militant world of Tebhaga.**

the peasantry and the communist cadre on the ground were already scripting a new history of political resistance.

A number of declassified communist activists had started living with sharecroppers in northern Bengal, including those from oppressed castes and tribal communities such as the Rajbangshis and the Santals. The Santals were already embroiled in a longstanding battle against the colonial state and zamindars, who had encroached on their lands and turned them into landless peasants and labourers in tea gardens. During the famine, the communist cadre organised Krishakbahinis, squads of peasant volunteers; Naribahinis, women's brigades that were often armed with household items such as broomsticks, pestles and chilli powder; and Krishtibahinis, cultural brigades to popularise communist politics that used traditional forms of *jatra*—a dramatic form combining theatre with folk music and dance—as well as *kobigaan*—singing duels between folk poets.

New campaigns against hoarders and black marketeers followed the rebellions of share-

croppers in Jalpaiguri against *hat tola*—market levies—and of tribal peasants in the district of Mymensingh against the *tanka*—produce rent demanded by jotedars. In Dinajpur, one of the districts visited by Hore, the Mahila Atma Raksha Samiti had created a strong network among rural women. When the Tebhaga Movement was officially launched, in September 1946, it was precisely these grassroot networks that united sharecroppers across tribal identities, caste hierarchies and religious divisions.

Within a few hours of his arrival at Rangpur, Hore found himself in the thick of the action. His diary reports a violent clash: “The police had gone to a village in Rampur to put up a show of strength against the peasants. In the process they got a proper hammering from the peasant women. Some policemen had their limbs broken, whilst others had broken rifle butts. A few of the women received minor injuries.”

Terse and precise, these sentences reflect the general tone of Hore's writing. In his introduction to the 2009 edition of the diary published by Seagull Books, the art critic Samik Bandyopadhyay highlights the “cool objectivity” of Hore's observations. Throughout, his prose remains steadfastly descriptive. The writing rarely devolves into polemic and flights of theoretical speculation are even rarer.

Tebhaga Diary is best understood as a political tapestry with diverse descriptive threads—vignettes of impoverished village life (men who are scrawnier than their cattle, women who cannot leave their crumbling huts because they no longer have clothes to wear); reports of the general mood at public meetings and actions (the heady mix of songs and slogans, flags and lathis that sustains the solidarity between Hindu and Muslim sharecroppers); stories of women's resistance (how an elderly woman attacked a jotedar and his goons with her pestle to protect a communist leader); details from Hore's experiences of collective harvesting and threshing of paddy (how communist leaders organised secret meetings and led teams of peasant volunteers); and oral histories of increasing indebtedness and landlessness in the countryside.

IN CONTRAST to the descriptive consistency of Hore's prose, his sketches straddle multiple styles. Broadly speaking, the diary contains three kinds of drawings. First, there are sketches that illustrate everyday village life: a thatched house, a field, a school, a bullock cart and so on. Some of these drawings are just hasty scribbles, while others are more detailed, marked by stylised contours and textured crosshatchings. Second, there are portraits of the protagonists of the uprising, in-

cluding sharecroppers, peasant women, communist leaders and, occasionally, even jotedars. Almost photographic in nature, these portraits emphasise the dramatic gestures, moods and postures of individual figures. While often using light and shadow to accentuate silhouettes, Hore also captioned each portrait with the identity of the subject (“Kalachand,” “Mohan Da,” “Mohi Bagchi” and so on).

Hore shares this trait with his mentor, Chittaprosad, who consistently identified the subjects of his famine sketches by name, refusing to reduce their identities to generic ones of class. Hore, however, repeats this gesture with a crucial difference: the subject of his work is not peasant suffering but peasant militancy. Compared to the established conventions of communist agitprop, Hore’s portraits of villagers make for a curious catalogue of resistance.

Bandyopadhyay illustrates this point by contrasting Hore’s sketches with two works, both titled “Tebhaga,” by Chittaprosad and Debabrata Mukhopadhyay. The former uses “mass and weight” to depict a panoramic view of a collective harvest in progress, dotted with miniature figures of women, Muslims, communist flags and weighing scales. The latter uses “the rhythm of sinuous line” to depict muscular figures in flux, holding lathis, bent forward and moving together. Unlike both these artists, Hore does not “load (his) images with meanings,” refusing to simply replicate the conventional imagery of resistance.

This brings us to the third type of drawings, which also constitute Hore’s initial attempts to break from agitprop convention. These correspond to the militant acts of collective harvesting and threshing by sharecroppers, but the sketches do not illustrate these acts of resistance. Consider, for instance, Hore’s diary entry for 20 December 1946. It describes a group of a hundred and fifty people—including young children—carrying sickles, banners and lathis. They have gathered to collectively harvest the paddy in one field and to move it to a sharecropper’s threshing ground. The triumphant sequence, interspersed with songs, slogans, drums

and snacks, concludes with this poignant observation: “These days the red flag had more auspicious potential than the traditional stalk of plantain and the sacred clay pitcher beside the door.” And yet, the accompanying sketches are peculiarly fragile and fragmented.

A drawing titled “Flags and Lathis at the Paddy Field” depicts three figures sitting next to a communist flag. Presumably, the figures are in a field, but it is difficult to tell because they are suspended across an empty page. The lines are brittle, the contours barely cohere anatomically, and the sketch is curiously bereft of all other details, including perspective. In “Discussing Tebhaga,” we encounter three more figures, two seated and one standing with a lathi. Here, the lines are much shorter—a miniature swarm of carefree scribbles that makes it seem as though Hore used his pen not to draw on the paper but to rapidly stab at it. The surrounding whitespace often bleeds into the figures. In “Threshing rice,” three figures pound the harvest. Here, the lines are surprisingly clean and full, but the contours of the clothes draping the figures sit awkwardly. Again, the scene is irretrievably flat and the figures flail their arms across an immense sea of white space. If one looks at the drawing closely, the figures themselves become secondary to the nervous movement of Hore’s strokes.

As with other aspects of Hore’s early work, his peculiar use of white space can be traced back to his mentor, Chittaprosad. The critic Adrienne Fast explains that, even though Chittaprosad published the same drawings in both the CPI newspapers and *Hungry Bengal*, the colonial police specifically targeted the latter. This, Fast surmises, was because, unlike the cramped layouts of the newspapers, Chittaprosad’s book printed each drawing on a separate sheet of paper, thus accentuating the agitational force of their dark realism. Hore, however, inverts his mentor’s gesture. He uses whitespace to undermine the realist character of his figures, sundering them from their narrative context and thus making them more abstract. The newness of Hore’s third type lies in his desire to, first, clear away the established com-

munist “clichés” of “mass, weight, and rhythm,” and to then draw the reader’s attention to the new shapes and textures of his own strokes and scribbles. Only, these shapes and textures are new inasmuch as newness befits any young artist—they are unfinished, if not unstable; malleable, if not malformed.

The visual design of the diary does not distinguish between the three types of drawings. Instead, they are juxtaposed throughout, often even printed side by side. Hore’s diary constantly veers between the political imperative to represent and a desire to break away from established codes of representation. Bringing the diary to a montage-like standstill, these sudden shifts between representation and abstraction offer a unique record of Tebhaga.

The form of Hore’s diary seems only too inspired by the militant sharecroppers, who had improvised new political solidarities to bring history itself to a standstill. The final paragraphs of the diary describe how, while collectively harvesting a sharecropper’s rice in Domar, a group of sixty peasant volunteers, led by a single comrade, thwarted an attack by a zamindar and a hundred of his men, who were armed with rifles. “Their hasty retreat,” Hore writes with great relish, “upset the younger sharecroppers greatly. They had been spoiling for a fight and had carried large stones to use against the jotedars’ bullets.” The diary ends with an effusive homage that reads like a rhetorical declaration of victory:

Peasants of Domar and Dimla, I felicitate you. The red glow of the new sun shines on your faces. Your fields are darkly stained with blood. You will never surrender the vast golden paddy fields that you have nurtured with drops of your own blood. This I have seen and felt, this is my conviction. Once again, I offer you my congratulations.

A WEEK AFTER HORE’S TRIP ENDED, his homage had already turned sour. On 4 January 1947, the police opened fire on a peasant demonstration in Chirirbandar, in Dinajpur district. Sibram, a landless Santal peasant, and Samirud-

din, a landless Muslim peasant, were the first martyrs of Tebhaga. A few hours later, at a public meeting in Sirajganj, Fazlur Rehman, the land-revenue minister in the provincial Muslim League government, announced a tentative plan to legislate the central demands of Tebhaga. When the Bengal Bargadar Temporary Regulation Bill was published in the *Calcutta Gazette*, even those sharecroppers who had not joined Tebhaga were suddenly brought into its fold. Having already deposited their entire harvests with the jotedars, they now started spontaneously attacking the latter's threshing grounds in a desperate bid to recover their rightful shares.

In some villages, the male sharecroppers were joined by armed women, tribal peasants and tea-garden workers, while the attacks spread from threshing grounds to popular sites of colonial power, including police stations. In turn, the police let loose a vicious wave of massacres, rapes and mass arrests. As the uprising kept growing more volatile, the middle-class leadership of the CPI was found wanting. In some places, there were sporadic attempts to form armed peasant squads, though these never materialised. By March, it was clear that, heavily backed by jotedars, the Muslim League government would not pass the proposed bill. Soon afterwards, Partition riots burned through the fragile nets of solidarity between Hindu and Muslim sharecroppers.

The CPI officially called off Tebhaga a few days before the harvesting season of 1947–48. On the eve of Independence, the party declared that “political difference should not come in the way of co-operation” with the Congress and Muslim League. The party line then underwent another drastic change. In early 1948, at a party congress in Calcutta, BT Ranadive, the new general secretary, thundered, “This is not real independence, it is false!”—setting the scene for a new round of armed insurrections in Telangana, Travancore-Cochin, Tripura and West Bengal.

Once again, the CPI was banned, this time by the ruling Congress government. Like thousands of other communists, Hore went into hiding. But while underground, he was constantly

at work, making hundreds of hand-drawn posters for ongoing demonstrations, strikes and rallies. Inspired by the Chinese Maoist prints that were in circulation at the time, he also started rendering sketches of night meetings from his *Tebhaga Diary* as woodcuts. His iconic “Wood Engraving III” shows the chiselled outlines of a group of peasant men and women huddled around a fire. Emblazoned with the flaming light, their animated faces suggest the glow of revolutionary promise that once burnished their lives.

Like Tebhaga, the new armed communist insurrections were also brutally suppressed. For Hore, these political defeats were further compounded by a growing disenchantment with his own aesthetic practice. Tired of drawing similar posters and working with similar aesthetic mediums, Hore felt that the “crass material politics” of the party had started fettering his “true artistic creativity.” In 1956, he decided not to renew his CPI membership. He passed his final exams at the Government College of Art and Craft that same year. Two years later, he shifted to Delhi to help establish the printmaking department at the Delhi Polytechnic, the first of its kind in India. Now surrounded with artists, including Dhanraj Bhagat, Dinkar Kowshik and Jaya Appasamy, Hore turned away from the socialist realism of posters and woodcuts, and started experimenting with multicoloured etchings.

Within a year, Hore had mastered the art of intaglio printing. Exploring new rolling techniques and acid baths, plates of different metals and colours of different viscosity, his prints produced new layers and textures of intricate abstraction. Years later, Hore would describe these as his first attempts to free himself of the political themes that had long dogged his aesthetic practice. Between 1960 and 1963, he was awarded three national awards by the Lalit Kala Akademi. This institutional recognition cemented Hore's reputation as an emerging modernist. But, wary of being lured into the cul-de-sac of endless formal innovation, Hore abruptly quit his job, and moved back to Calcutta in 1967.

The same year, Maoist renegades broke away from the CPI (Marxist), a newly formed splinter group, and

organised the Naxalbari insurrection in West Bengal. Already unmoored from organisational politics, Hore struggled to comprehend these repeated splits. As Bengal's public life devolved into a tragic confrontation between communists of different stripes, Hore's aesthetic practice also took drastic new forms. Suddenly, colour disappeared from his work.

In 1969, Hore took charge of the printmaking section at Shantiniketan. Shortly afterwards, he started making his iconic white-on-white prints. Hore began by slashing and stamping tablets of clay with knives and red-hot rods. He then used these damaged tablets to make cement moulds, and finally used

In his later years, Hore frequently lamented “the yawning gulf between socialist philosophy and socialist parties.” His own political commitments, however, remained intact.

the moulds to shape the white paper pulp. The resulting prints possessed a sculpture-like tactility and were inscribed with signs of a new kind of visual grammar—holes, blisters, dents, scratches, bruises, scars and cuts. Hore gathered these experiments under the appropriate title *Wounds*. The critic Uma Nair suggests that these “prints stand as representations of the wounds on human skin, pierced and disfigured by conflict and shrapnel.” But to interpret the prints in *Wounds* as literal representations of political violence risks ignoring the subtle drama of their form.

Having long turned his back on political activism, Hore learnt to cultivate a newfound intimacy with his material. And it was precisely in its body that he began to inscribe the records of revolutionary defeat. If in *Tebhaga Diary* the white space had seemed fertile with the promise of a new political aesthetic, in *Wounds* it is scarred by the tragic failure of this promise.

By the mid 1970s, Hore started making sculptures as part of *Wounds*. The

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● ● **NAINA LAL KIDWAI, Chairperson, Max Financial Services**

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● ● **ORIJIT SEN, Artist**



I do enjoy reading Caravan and I get a lot of pleasure out of it. And it forces me to think. The research that goes into the writing of the articles, the way they are written and the subjects chosen, are thought-provoking, in the sense that you think beyond the obvious. In the process of doing this—like in everything that is thought-provoking—you ask questions, you have doubts and you want to explore the freedom of asking questions and expressing your doubts and trying to get answers. And I find that I do enjoy it very much, because it forces me to do that.

● ● **ROMILA THAPAR, Historian**



critic R Siva Kumar describes them as three-dimensional equivalents of his white-on-white prints. Instead of using clay or plaster of paris to make moulds, Hore used molten wax and cast his figures in bronze. Since there was no permanent mould—the wax lost shape in the process—the figures could not be repeated. Hore's sculptures depict the bodies of humans and animals petrified by the trauma of suffering. He invariably endows these figures with a quiet dignity. In "Hands," he wraps a pair of swollen hands, crudely amputated at the wrists, in a white cotton cloth. He offers them to us, Siva Kumar writes, "like a piece of baked bread."

IN HIS LATER YEARS, Hore frequently lamented "the yawning gulf between socialist philosophy and socialist parties." His own political commitments, however, remained intact. In 1992, speaking to the art critic Jogen Chowdhury, Hore still insisted on asking questions that had largely been avoided by artists: "Why should even a single person starve; why should even one man be deprived of shelter when, on the other side, there is so much waste?" In the same conversation, the septuagenarian artist defended his faith in Marxism with characteristic terseness: "If exploitation exists, so does the question of its demise."

But whether art could hasten this demise and, in turn, engender a utopian

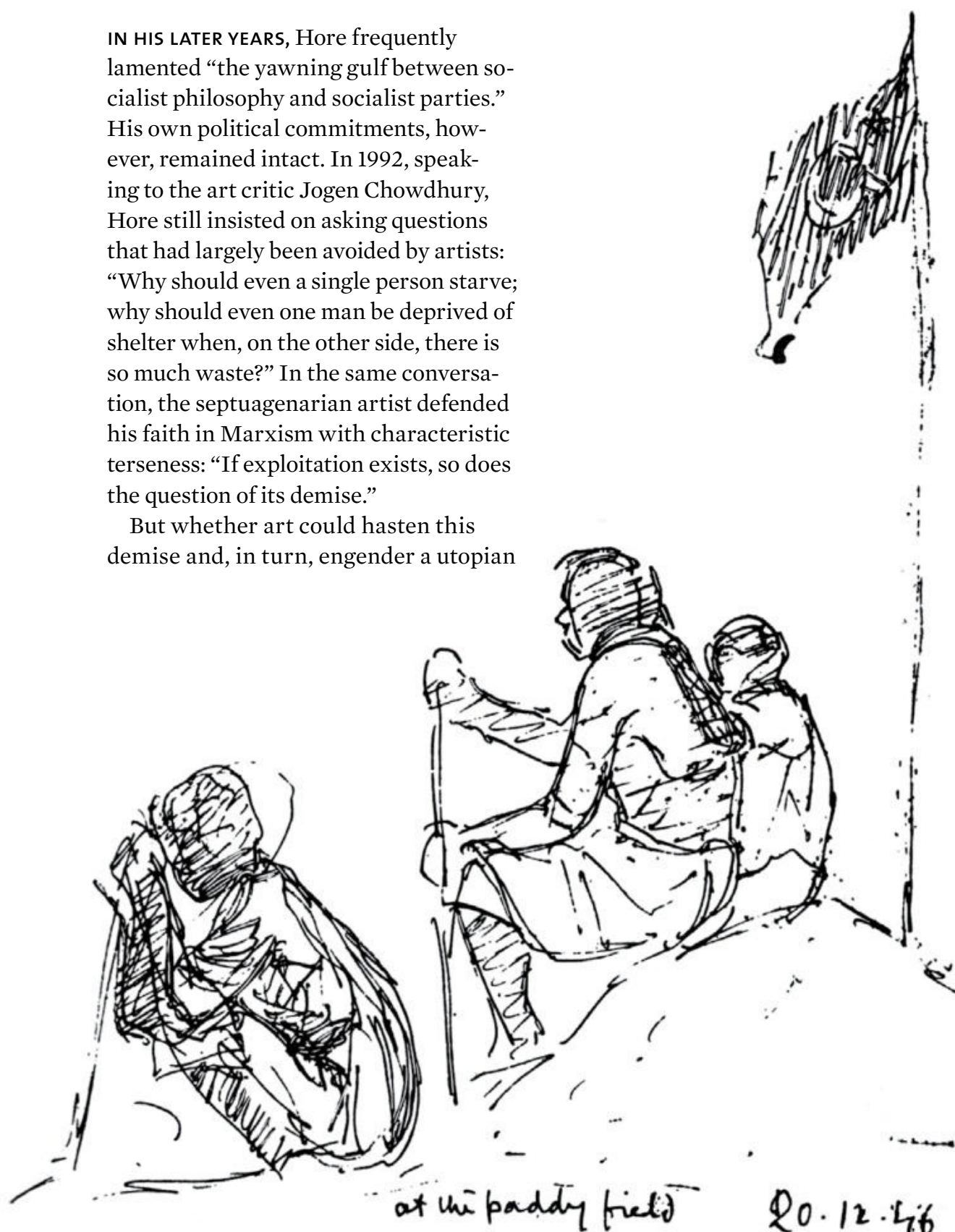
world, Hore seemed no longer sure. Disenchanted with the increasing institutionalisation of contemporary art, Hore spent his final years in Lalbandh, a small village located near Shantiniketan. He staunchly refused to exhibit his work. Explaining his decision, he wrote: "Normally, exhibitions are city-centric phenomena where hundreds or even thousands of people walk in as viewers ... [but] in a city like Kolkata, where the population is eight to one hundred lakhs, just [how] much of an effect can merely a thousand viewers etch on the cultural scene?"

It is worth pointing out that, for nearly three decades, Hore's own

diary had disappeared without a trace. Still, the timing of its belated appearance was fortuitous. The diary was published in 1981, in the Bengali magazine *Ekshan*. At the time, Operation Barga was in full swing, designed by West Bengal's ruling Left Front government to fulfil the demands first raised during Tebhaga. These reforms granted over 1.6 million sharecroppers a legal right to retain two-thirds of their produce and offered them additional legal protection against eviction by jotedars. In this context, Hore's diary acquired a new significance—it seemed that this historical transformation would finally vindicate the young artist's premature declaration of victory. It seemed that Hore's eloquent salutes to the militant sharecroppers of northern Bengal would finally reach them.

But this redemption never came. It turned out that the belated legislation entailed only "tenure reforms" and not actual "land reforms." As the US economist Ronald Herring explains, the Left Front ensured the security of tenure but refrained from transferring land titles to sharecroppers. Just like the official memorandum of 1939, Operation Barga failed to adequately challenge the political power of the middle and upper peasantry. D Bandyopadhyay, the land-reforms commissioner at the time, explained in an essay the CPI(M)'s failure to redistribute land by highlighting the dominance of these same classes in its ranks. Despite a membership of just thirty thousand, the party had fielded around eighty thousand candidates in the 1978 panchayat elections. Over ninety percent of its elected candidates came from landowning and professional classes. "Obviously," Bandyopadhyay tersely inferred, "these new members did not join the party to commit class harakiri."

Across the time of its composition and the time of its publication, Hore's diary bookmarks a failed revolutionary uprising and a thwarted parliamentary reform. In doing so, it again brings to light the gaping rift between socialist philosophy and socialist parties. The Left Front could only diminish this gulf. *Tebhaga Diary* summons us to abolish it. ■



FROM *TEBHAGA: AN ARTIST'S DIARY AND SKETCHBOOK*, COURTESY SEAGULL BOOKS



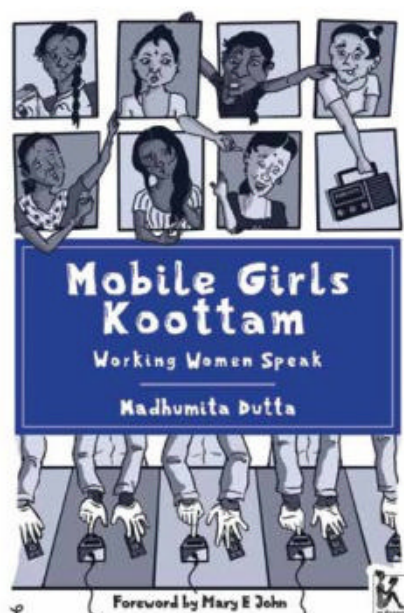
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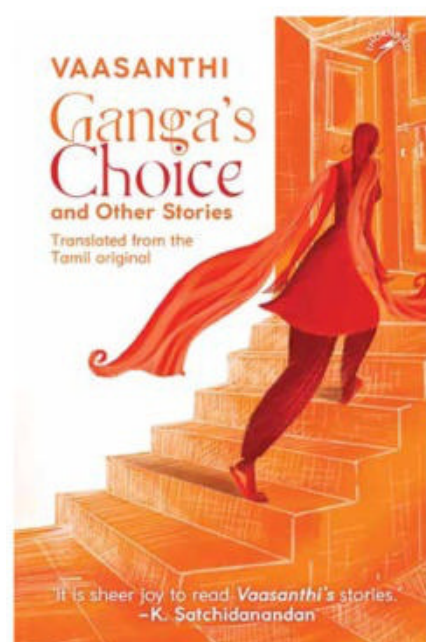


**MOBILE GIRLS
KOOTTAM
WORKING WOMEN
SPEAK**

**Madhumita Dutta
Illustrated by
Madhusree Dutta**

This book draws on encounters the author had with women working in an electronics factory in Tamil Nadu's Kancheepuram district. These women gathered regularly, eventually producing a radio podcast titled *Mobile Girls Koottam*. The book has transcripts from the podcast, with conversations between five women who speak of their lives, work, politics and hopes for the future.

ZUBAAN, ₹319, 258 PAGES



**GANGA'S CHOICE
AND OTHER
STORIES**

Vaasanthi

The stories in this collection explore, among other themes, how women from different backgrounds struggle against oppression and social norms, and the impact a lockdown has on two migrant workers, who embark on a journey home.

NIYOGI BOOKS, ₹450, 256 PAGES

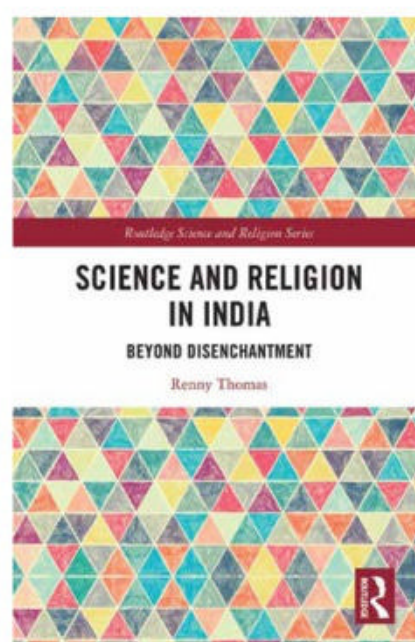


ADAM

**S Hareesh
Translated by
Jayasree Kalathil**

This collection of nine stories explores love, jealousy, anger and social norms as they play out in the lives of the characters, including four puppies brought up by a former serviceman, two men who play a game based on death notices taken from newspapers, and a government employee who sinks deeper and deeper into the toxic world of hunting.

VINTAGE BOOKS, PENGUIN, ₹299, 192 PAGES



**SCIENCE AND
RELIGION IN INDIA
BEYOND
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Renny Thomas

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VIOLETA

Isabel Allende

This novel follows its eponymous protagonist, born in South America as the Spanish flu began wreaking havoc. It explores loss and love, charting the effect that cataclysmic events—including two pandemics, the Great Depression, World Wars and dictatorships—have on Violeta and her family.

BLOOMSBURY, ₹599, 336 PAGES

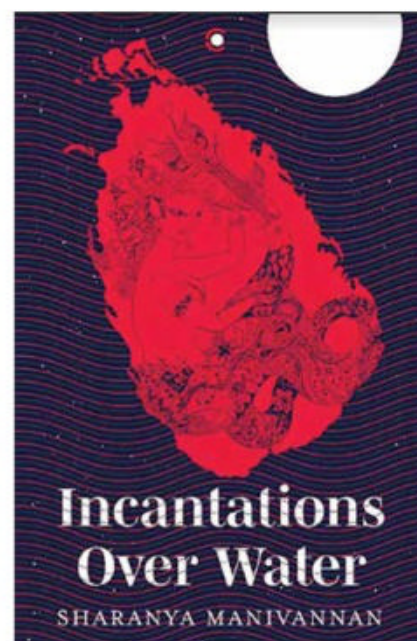


DO NOT GO TO THE JUNGLE

**Shihabuddin
Poithumkadavu
Translated by J Devika**

Among the host of characters in this short-story collection are a nightwatchman at a sawmill on the edge of a forest attempting to make friends with a lonely fox, a migrant labourer reading out his doctoral thesis to camels he herds in West Asia and the communist leader AK Gopalan being shocked by what he sees in the general compartment of the Malabar Express.

EKA, ₹350, 176 PAGES

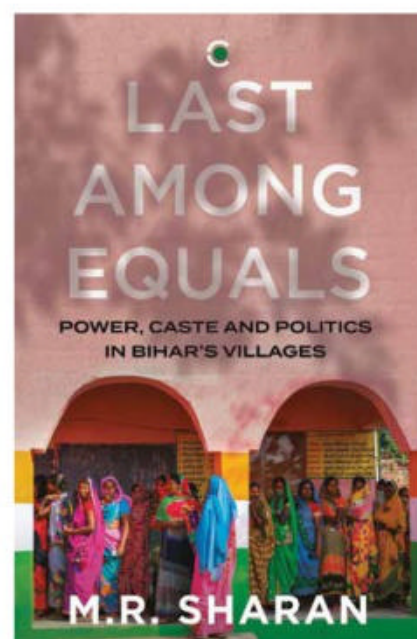


INCANTATIONS OVER WATER

Sharanya Manivannan

This graphic novel draws on mermaid folklore and is narrated from the viewpoint of a mermaid living in the lagoons of Mat-takalappu, Sri Lanka. Her stories weave together history, myth and magic while exploring mother-daughter relationships, local culture, the environment and gender dynamics.

CONTEXT, WESTLAND, ₹799, 176 PAGES



LAST AMONG EQUALS POWER, CASTE AND POLITICS IN BIHAR'S VILLAGES

MR Sharan

Tracing the efforts of Sanjay Sahni, a migrant worker who sought to help the people of his village claim their rights under the Mahatma Gandhi National Rural Employment Guarantee Act, the development economist MR Sharan explores the changing nature of caste, grassroots activism and village politics over the past decade.

CONTEXT, ₹355, 245 PAGES



WIKIMEDIA COMMONS

ON 1 JANUARY 1942, soldiers of the Burma Independence Army celebrate their entry into Burmese territory during the Japanese invasion of the British colony. The invasion, part of a Japanese offensive throughout East and Southeast Asia in the weeks following the bombing of Pearl Harbour, was intended to disrupt overland supply routes to China through the “Burma Road.”

The BIA, officially formed four days earlier in Bangkok, was meant to raise local recruits and support Japanese forces. It was commanded by Keiji Suzuki, an intelligence officer who had established contact with several prominent Burmese nationalists since 1940. These included Aung San, who had

secretly left the colony to seek external aid for the struggle against the British. Suzuki facilitated Aung San’s travel to Tokyo and successfully lobbied Japanese imperial authorities to support the establishment of the BIA. On 3 February 1941, Japan pledged to recognise a provisional Burmese government as soon as it established a foothold in the colony. Over the next few months, a core of nationalist leaders who would come to be called the Thirty Comrades were smuggled out of Burma for military training.

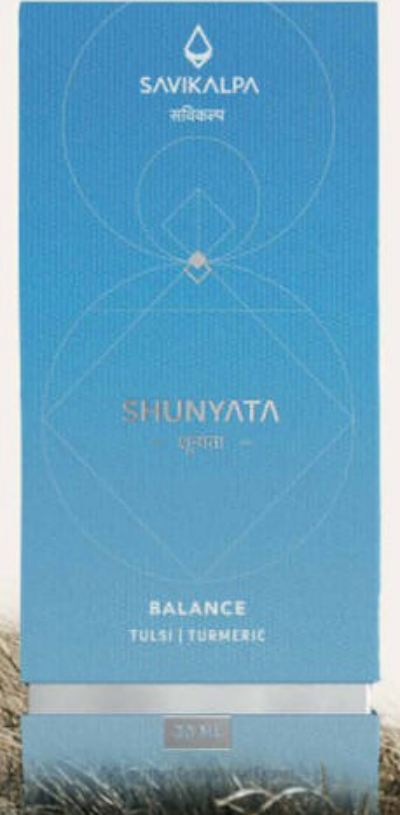
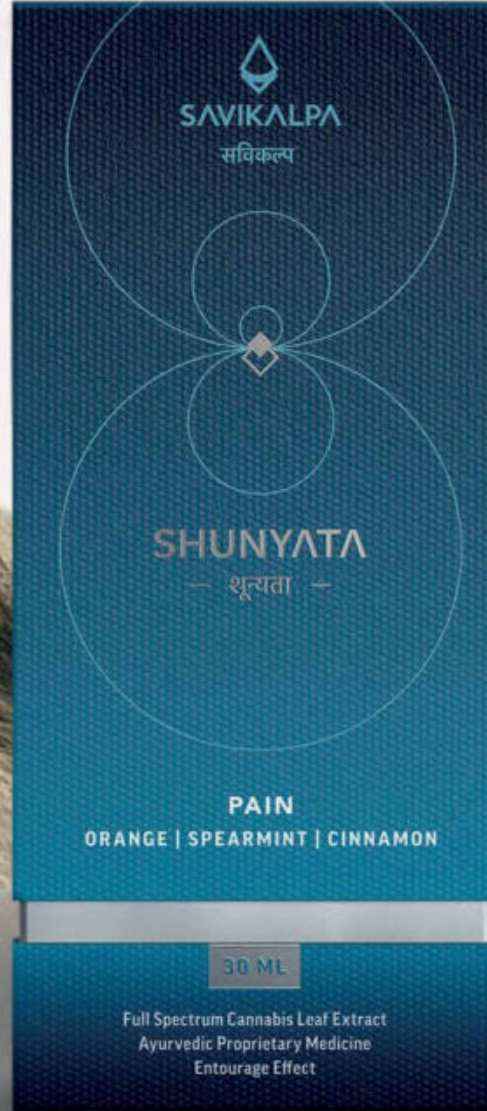
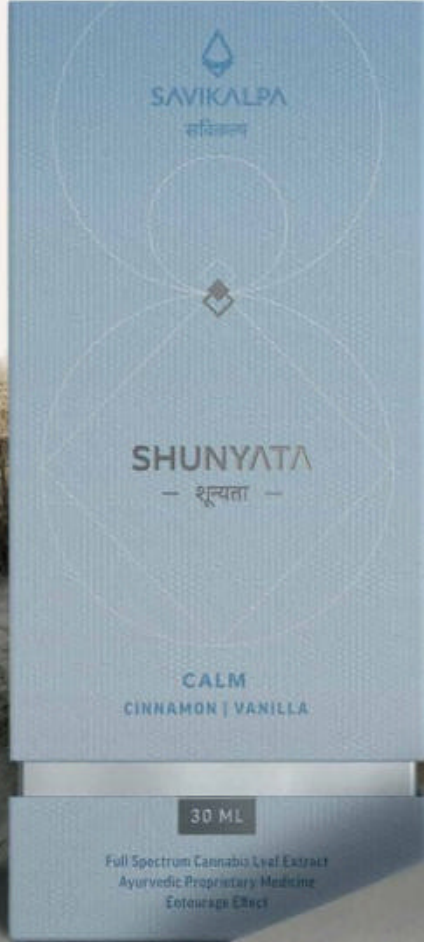
Upon entering Burma, the BIA attracted thousands of recruits from the majority Bamar community. It carried out violent reprisals against communities perceived to be aiding the

British: Indians, Chinese and numerous ethnic minorities, particularly Karens. In July 1942, with the British having retreated, Japanese authorities disbanded the BIA and replaced it with the Burma Defence Army, formally commanded by Aung San but virtually indistinguishable from the Japanese army. When nominal independence was granted the following year, it was reconstituted as the Burma National Army. Disillusioned with the Japanese, Aung San and other BNA officers struck alliances with communist and antifascist groups—and, eventually, the British. In March 1945, the BNA launched a nationwide uprising against Japanese occupation. Burma secured independence on 4 January 1948.

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